

# NEWS, VIEWS and ISSUES

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## GOVERNMENTAL AFFAIRS

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# Governmental Affairs

NEW YORK TIMES  
22 December 1974

## HUGE C.I.A. OPERATION REPORTED IN U.S. AGAINST ANTIWAR FORCES, OTHER DISSIDENTS IN NIXON YEARS

### FILES ON CITIZENS

### Helms Reportedly Got Surveillance Data in Charter Violation

By SEYMOUR M. HERSH

Special to The New York Times

WASHINGTON, Dec. 21—The Central Intelligence Agency, directly violating its charter, conducted a massive illegal domestic intelligence operation during the Nixon Administration against the antiwar movement and other dissident groups in the United States, according to well-placed Government sources.

An extensive investigation by The New York Times has established that intelligence files on at least 10,000 American citizens were maintained by a special unit of the C.I.A. that was reporting directly to Richard Helms, then the Director of Central Intelligence and now the Ambassador to Iran.

In addition, the sources said, a check of the C.I.A.'s domestic files ordered last year by Mr. Helms's successor, James R. Schlesinger, produced evidence of dozens of other illegal activities by members of the C.I.A. inside the United States, beginning in the nineteen-fifties, including break-ins, wiretapping and the surreptitious inspection of mail.

#### A Different Category

Mr. Schlesinger was succeeded at the C.I.A. by William E. Colby in late 1973.

Those alleged operations, while also prohibited by law, were not targeted at dissident American citizens, the sources said, but were a different category of domestic activities that were secretly carried out as part of operations aimed at suspected foreign intelligence agents operating in the United States.

Under the 1947 act setting up the C.I.A., the agency was forbidden to have "police, sub-

poena, law enforcement powers or internal security functions" inside the United States. Those responsibilities fall to the F.B.I., which maintains a special internal security unit to deal with foreign intelligence threats.

Mr. Helms, who left the C. I. A. in February, 1973, for his new post in Teheran, could not be reached despite telephone calls there yesterday and today.

#### Network of Informants

Charles Cline, a duty officer at the American Embassy in Teheran, said today that a note informing Mr. Helms of the request by The Times for comment had been delivered to Mr. Helms's quarters this morning. By late evening Mr. Helms had not returned the call.

"This is explosive, it could destroy the agency," one official with access to details of the alleged domestic spying on dissidents said in an interview.

He described the program as similar in intent to the Army domestic surveillance programs that were censured by Congress four years ago.

"There was no excuse for what the agency did," the source said. "What you had was an insulated secret police agency not under internal question or audit."

The disclosure of alleged illegal C.I.A. activities is the first confirmation of rumors that have been circulating in Washington for some time. A number of mysterious burglaries and incidents have come to light since the break-in at Democratic party headquarters in the Watergate complex on June 17, 1972.

Throughout the public hearings and courtroom testimony on Watergate, Mr. Helms and other high-level officials insisted that the C.I.A. had been "duped" into its Watergate involvement by the White House.

As part of its alleged effort against dissident Americans in the late nineteen-sixties and early nineteen-seventies, the sources said, the C.I.A. authorized agents to follow and photograph participants in antiwar and other demonstrations. The C.I.A. also set up a network of informants who were ordered to penetrate antiwar groups, the sources said.

At least one avowedly antiwar member of Congress was among those placed under

surveillance by the C.I.A., the sources said. Other members of Congress were said to be included in the C.I.A.'s dossier on dissident Americans.

The names of the various Congressmen could not be learned, nor could any specific information about domestic C.I.A. break-ins and wiretappings be obtained.

It also could not be determined whether Mr. Helms had had specific authority from top aides to initiate the alleged domestic surveillance, or whether Mr. Helms had informed the President of the fruits, if any of the alleged operations.

#### Distress Reported

These alleged activities are known to have distressed both Mr. Schlesinger, now the Secretary of Defense, and Mr. Colby. Mr. Colby has reportedly told associates that he is considering the possibility of asking the Attorney General to institute legal action against some of those who had been involved in the clandestine domestic activities.

One official, who was directly involved in the initial C.I.A. inquiry last year into the alleged domestic spying, said that Mr. Schlesinger and his associates were unable to learn what Mr. Nixon knew, if anything.

Mr. Colby refused to comment on the domestic spying issue. But one clue to the depth of his feelings emerged during an off-the-record talk he gave Monday night at the Council on Foreign Relations in New York.

The C.I.A. chief, who had been informed the previous week of the inquiry by The Times, said at the meeting that he had ordered a complete investigation of the agency's domestic activities and had found some improprieties.

But he is known to have added, "I think family skeletons are best left where they are—in the closet."

He then said that the "good thing about all of this was the red flag" was raised by a group of junior employees inside the agency.

It was because of the prodigal from below, some sources have reported, that Mr. Colby decided last year to inform the chairmen of the House and Senate Intelligence Oversight Committees of the domestic activities.

Mr. Schlesinger, who became Secretary of Defense after serving less than six months at the C.I.A., similarly refused to dis-

ties.

But he was described by an associate as extremely concerned and disturbed by what he discovered at the C.I.A. upon replacing Mr. Helms.

"He found himself in a cesspool," the associate said. "He was having a grenade blowing up in his face every time he turned around."

#### The Ellsberg Affair

Mr. Schlesinger was at the C.I.A. when the first word of the agency's involvement in the September, 1971, burglary of the office of Dr. Daniel Ellsberg's psychiatrist by the White House security force known as the "plumbers" became known.

It was Mr. Schlesinger who also discovered and turned over to the Justice Department a series of letters written to Mr. Helms by James W. McCord Jr., one of the original Watergate defendants and a former C.I.A. security official. The letters, which told of White House involvement in the Watergate burglary, had been deposited in an agency office.

The associate said one result of Mr. Schlesinger's inquiries into Watergate and the domestic aspects of the C.I.A. operations was his executive edict ordering a halt to all questionable counterintelligence operations inside the United States.

During his short stay at the C.I.A., Mr. Schlesinger also initiated a 10 per cent employee cutback. Because of his actions, the associate said, security officials at the agency decided to increase the number of his personal bodyguards. It could not be learned whether that action was taken after a threat.

Many past and present C.I.A. men acknowledged that Mr. Schlesinger's reforms were harder to bear because he was an outsider.

Mr. Colby, these men said, while continuing the same basic programs initiated by his predecessor, was viewed by some internal critics as "the saving force" at the agency because as a former high-ranking official himself in the C.I.A.'s clandestine services, he had the respect and power to ensure that the alleged illegal domestic programs would cease.

Some sources also reported that there was widespread paper shredding at the agency shortly after Mr. Schlesinger began to crack down on the C.I.A.'s operations.

Asked about that, however, Government officials said that they could "guarantee" that the domestic intelligence files were still intact.

There's certainly been no

order to destroy them," one official said.

When confronted with the Times's information about the C.I.A.'s domestic operations earlier this week, high-ranking American intelligence officials confirmed its basic accuracy, but cautioned against drawing "unwarranted conclusions."

#### Espionage Feared

Those officials, who insisted on not being quoted by name, contended that all of the C.I.A.'s domestic activities against American citizens were initiated in the belief that foreign governments and foreign espionage may have been involved.

"Anything that we did was in the context of foreign counterintelligence and it was focused at foreign intelligence and foreign intelligence problems," one official said.

The official also said that the requirement to maintain files on American citizens emanated, in part, from the so-called Huston plan. That plan, named for its author, Tom Charles Huston, a Presidential aide, was a White House project in 1970 calling for the use of such, illegal activities as burglaries and wiretapping to combat antiwar activities and student turmoil that the White House believed was being "fomented"—as the Huston plan stated—by black extremists.

Former President Richard M. Nixon and his top aides have repeatedly said that the proposal, which had been adamantly opposed by J. Edgar Hoover, then the director of the Federal Bureau of Investigation, was never implemented.

Government intelligence officials did not dispute that assertion, but explained that, nonetheless, the C.I.A.'s decision to maintain domestic files on American citizens "obviously got a push at that time."

"Yes, you can say that the C.I.A. contribution to the Huston plan was in the foreign counterintelligence field," one official said.

#### 'A Spooky Way'

"The problem is that it was handled in a very spooky way."

"If you're an agent sitting in Paris and you're asked to find out whether Jane Fonda is being manipulated by foreign intelligence services, you've got to ask yourself who is the real target," the official said. "Is it the foreign intelligence services or Jane Fonda?"

However, this official and others insisted that all domestic C.I.A. operations against American citizens had now ceased and that instructions had been issued to insure that they could not occur again.

A number of well-informed official sources, in attempting to minimize the extent of alleged wrongdoing posed by the C.I.A.'s domestic actions, suggested that the laws were fuzzy in connection with the so-called "gray" area of C.I.A.-F.B.I. operations—that is, when an American citizen is approached inside the United States by a suspected foreign intelligence agent.

The legislation setting up the C.I.A. makes the director "re-

sponsible for protecting intelligence sources and methods from unauthorized disclosure."

One official with close access to Mr. Colby contended at length in an interview yesterday that the C.I.A.'s domestic actions were not illegal because of the agency's legal right to prevent the possible revelation of secrets.

#### 'Gray Areas'

"Look, you do run into gray areas," the official said, "and, unquestionably, some of this fell into the gray area. But the director does have an obligation to guard his sources and methods. You get some foreigner snooping around and you have to keep track."

"Let's suppose as an academic exercise, hypothetically," the official said, "that a foreigner believed to be an intelligence agent goes to a Washington newspaper office to see a reporter. What do you [the C.I.A.] do? Because it's a Washington newspaper office and a reporter, do you scratch that from the C.I.A.'s record?"

"Sure, the C.I.A. was following the guy, but he wasn't an American."

A number of other intelligence experts, told of that example, described it as a violation of the 1947 statute and a clear example of an activity, even if involving a foreigner, from which the C.I.A. is barred.

Prof. Harry Howe Ransom of Vanderbilt University, considered a leading expert on the C.I.A. and its legal and Congressional authority, said in a telephone interview that in his opinion the 1947 statute included "a clear prohibition against any internal security functions under any circumstances."

Professor Ransom said that his research of the Congressional debate at the time the C.I.A. was set up makes clear that Congress expressed concern over any police state tactics and intended to avoid the possibility. Professor Ransom quoted one member as having said during floor debate, "We don't want a Gestapo."

Similar reservations about the C.I.A.'s role in domestic affairs were articulated by Mr. Colby during his confirmation hearings before the Senate Armed Services Committee in September, 1973.

Asked by Senator Stuart Symington, Democrat of Missouri, about the "gray" area in the 1947 legislation, Mr. Colby disavowed it, saying:

"My interpretation of that particular provision is that it gives me a charge but does not give me authority. It gives me the job of identifying any problem of protecting sources and methods, but in the event I identify one it gives me the responsibility to go to the appropriate authorities with that information and it does not give me any authority to act on my own."

"So I really see less of a gray area [than Mr. Helms] in that regard. I believe that there is really no authority under that act that can be used."

Beyond his briefings for Senator John C. Stennis, Democrat

of Mississippi, and Representative Lucien N. Nedzi, Democrat of Michigan, the respective chairmen of the Senate and House Intelligence subcommittees of the Armed Services Committees, Mr. Colby apparently had not informed other Ford Administration officials as of yesterday of the C.I.A. problems.

"Counterintelligence!" one high-level Justice Department official exclaimed upon being given some details of the C.I.A.'s domestic operations. "They're not supposed to have any counterintelligence in this country."

"Oh, my God," he said, "oh, my God."

A former high-level F.B.I. official who operated in domestic counterintelligence areas since World War I, expressed astonishment and then anger upon being told of the C.I.A.'s activities.

"We had an agreement with them that they weren't to do anything unless they checked with us," he said. "They double-crossed me all along."

He said he had never been told by his C.I.A. counterintelligence colleagues of any of the alleged domestic operations that took place.

Mr. Huston, now an Indianapolis attorney, said in a telephone conversation yesterday that he had not learned of any clandestine domestic C.I.A. activities while he worked in the White House.

#### Huston Disagrees

Mr. Huston took vigorous exception to a suggestion by intelligence officials that his proposed White House domestic intelligence plan resulted in increased pressure on the C.I.A. to collect domestic intelligence.

"There was nothing in that program that directed the C.I.A. to do anything in this country," Mr. Huston said. "There was nothing that they could rely on to justify anything like this. The only thing we ever asked them for related to activities outside the United States."

Two months ago, Rolling Stone magazine published a lengthy list of more than a dozen unsolved break-ins and burglaries and suggested that they might be linked to as yet undisclosed C.I.A. or F.B.I. activities.

Senator Howard H. Baker Jr., Republican of Tennessee, who was vice chairman of the Senate Watergate committee, has publicly spoken of mysterious C.I.A. links to Watergate. The White House transcripts of June 23, 1972, show President Nixon saying to H. R. Halde- man, his chief of staff, "Well, we protected Helms from one hell of a lot of things."

The remark, commented upon by many officials during recent interviews, could indicate Presidential knowledge about the C.I.A.'s domestic activities.

The possible Watergate link is but one of many questions posed by the disclosures about the C.I.A. that the Times sources say they believe can be unraveled only by extensive Congressional hearings.

The C.I.A. domestic activities

during the Nixon Administration were directed, the source said, by James Angleton, who is still in charge of the Counterintelligence Department, the agency's most powerful and mysterious unit.

As head of counterintelligence, Mr. Angleton is in charge of maintaining the C.I.A.'s "sources and methods of intelligence," which means that he and his men must insure that foreign intelligence agents do not penetrate the C.I.A.

The Times's sources, who included men with access to firsthand knowledge of the C.I.A.'s domestic activities, took sharp exception to the official suggestion that the agency's domestic activities were the result of legitimate counterintelligence needs.

"Look, that's how it started," one man said. "They were looking for evidence of foreign involvement in the antiwar movement. But that's not how it ended up. This just grew and mushroomed internally."

"Maybe they began with a check on Fonda," the source said, speaking hypothetically. "But then they began to check on her friends. They'd see her at an antiwar rally and take photographs. I think this was going on even before the Huston plan."

#### 'Highly Coordinated'

"This wasn't a series of isolated events. It was highly coordinated. People were targeted, information was collected on them, and it was all put on [computer] tape, just like the agency does with information about K.G.B. [Soviet] agents."

"Every one of these acts was blatantly illegal."

Another official with access to details of C.I.A. operations said that the illegal activities uncovered by Mr. Schlesinger last year included break-ins and electronic surveillances that had been undertaken during the fifties and sixties.

"During the fifties, this was routine stuff," the official said. "The agency did things that would amaze both of us, but some of this also went on in the late sixties, when the country and atmosphere had changed."

The official suggested that what he called the "Nixon antiwar hysteria" may have been a major factor in the C.I.A.'s decision to begin maintaining domestic files on American citizens.

One public clue about the White House pressure for C.I.A. involvement in the intelligence efforts against antiwar activists came during Mr. Helms's testimony before the Senate Watergate committee in August, 1973.

Mr. Helms told how the President's Foreign Intelligence Advisory Board had once suggested that the agency could "make a contribution" in domestic intelligence operations.

"I pointed out to them very quickly it could not, there was no way," Mr. Helms said. "But this was a matter that kept coming up in the context of feelings: Isn't there somebody else that can take on some of

these things if the F.B.I. isn't doing them as well as they should, as there are no other facilities?"

The Times's sources, reflecting the thinking of some of the senior C.I.A. officials who began waving "the red flag" inside the agency, were harshly critical of the leadership of Mr. Helms.

These junior officials are known to believe that the domestic spying on antiwar activists originated as an ostensibly legitimate counterintelligence operation to determine whether the antiwar movement had been penetrated by foreign agents.

In 1969 and 1970, the C.I.A. was asked by the White House to determine whether foreign governments were supplying undercover agents and funds to antiwar radicals and Black Panther groups in the United States. Those studies, conducted by C.I.A. officials who reportedly did not know of the alleged secret domestic intelligence activities, concluded that there was no evidence of foreign support.

"It started as a foreign intelligence operation and it bureaucratically grew," one source said. "That's really the answer."

The source added that Mr. Angleton's counterintelligence department "simply began using the same techniques for foreigners against new targets here."

Along with assembling the domestic intelligence dossiers, the source said, Mr. Angleton's department began recruiting informants to infiltrate some of the more militant dissident groups.

"They recruited plants, informers and doublers [double agents]," the source said. "They were collecting information and when counterintelligence collects information, you use all of those techniques. "It was like a little F.B.I. operation."

This source and others knowledgeable about the C.I.A. believe that Mr. Angleton was permitted to continue his domestic operations because of the great power he wielded inside the agency as director of counterintelligence.

It is this group that is charged with investigating allegations against C.I.A. personnel made by foreign agents who defect; in other words, it must determine whether a C.I.A. man named by a defector is, in fact, a double agent.

Victor Marchetti, a former C.I.A. official, said in a book published this year that the "counterintelligence staff operates on the assumption that the agency—as well as other elements of the United States Government—is penetrated by the K.G.B."

"The chief of the C.I.A. staff [Mr. Marchetti did not identify Mr. Angleton] is said to keep a list of the 50 or so key positions in the C.I.A. which are most likely to have been infiltrated by the opposition, and he reportedly keeps the persons in those positions under constant surveillance."

Dozens of other former C.I.A. men talked in recent interviews with similar expressions of fear

and awe about Mr. Angleton, an accomplished botanist and Yale graduate who once edited a poetry magazine there.

He was repeatedly described by former C.I.A. officials as an unrelenting cold warrior who was convinced that the Soviet Union was playing a major role in the antiwar activities.

"He honestly has the kind of spook mentality where he can see conspiracies in everything," one former high-level C.I.A. official said. "For example, he's convinced that too many members of the press had ties to the Soviet Union. Anybody who writes anything friendly to the Soviet Union he considers suspect."

Another former official characterized counterintelligence as "an independent power in the C.I.A. Even people in the agency aren't allowed to deal directly with the C.I. [counterintelligence] people."

"Once in it," he said, "you're in it for life."

Most of the domestic surveillance and the collection of domestic intelligence was conducted, the sources said, by one of the most clandestine units in the United States intelligence community, the special operations branch of counterintelligence. It is these men who perform the foreign wiretaps and break-ins authorized by higher intelligence officials.

#### "Deep Snow Section"

"That's really the deep snow section," one high-level intelligence expert said of the unit, whose liaison with Mr. Helms was conducted by Richard Ober, a long-time counterintelligence official who has served in New Delhi for the C.I.A.

Despite intensive interviews, little could be learned about the procedures involved in the alleged domestic activities except for the fact that the operation was kept carefully shielded from other units inside the C.I.A.

One former high-level aide who worked closely with Mr. Helms in the executive offices of the agency recalled that Mr. Ober held frequent private meetings with Mr. Helms in the late sixties and early seventies.

"Ober had unique and very confidential access to Helms," the former C.I.A. man said. "I always assumed he was mucking about with Americans who were abroad and then would come back, people like the Black Panthers."

The official said he had learned that Mr. Ober had quickly assembled "a large staff of people who acquired enormous amounts of data, more than I thought was justified."

After the unveiling of the domestic operations by Mr. Schlesinger last year, sources said, Mr. Ober was abruptly transferred from the C.I.A. to a staff position with the National Security Council.

"They didn't fire him," one well-informed source said, "but they didn't want him around. The C.I.A. had to get rid of him, he was too embarrassing, too hot."

The source added that Mr. Ober had vehemently defended

his actions as justified by national security.

A Government intelligence official, subsequently asked about Mr. Ober, denied that his transfer to the National Security Council was a rebuke in any way.

Reached by telephone at his office this week, Mr. Ober refused to discuss the issue.

"There's nothing I can say about this," he said.

Mr. Angleton, also reached by telephone this week at his suburban Washington home, denied that his counterintelligence department operated domestically.

"We know our jurisdiction," he said.

Mr. Angleton told of a report from a United States agent in Moscow who was relaying information to the C.I.A. on the underground and radical bombings in the United States during the height of the antiwar activity.

"The intelligence was not acquired in the United States," Mr. Angleton declared. "It came from Moscow. Our source there is still active and still productive; the opposition still doesn't know."

Mr. Angleton then described how the C.I.A. had obtained information from Communist sources about the alleged demolition training of black militants by the North Koreans. He also told of recent intelligence efforts involving the K.G.B. and Yasser Arafat, chairman of the Palestine Liberation Organization.

A number of former important F.B.I. domestic intelligence sources took issue with Mr. Angleton's apparent suggestion that the domestic antiwar activity was linked to the Soviet Union.

"There was a lot of stuff [on radicals in the United States] that came in from the C.I.A. overseas," one former official recalled, but he said a lot of it was worthless.

Other officials closely involved with United States intelligence expressed amazement and dismay that the head of counterintelligence would make such random suggestions during a telephone conversation with a newsmen.

"You know," said one member of Congress who is involved with the monitoring of C.I.A. activities, "that's even a better story than the domestic spying."

#### The Student Movement

One former C.I.A. official who participated in the 1969 and 1970 White House-directed studies of alleged foreign involvement in the antiwar movement said that Mr. Angleton "undoubtedly believes that foreign agents were behind the student movement, but he doesn't know what he's talking about."

The official also raised a question about the bureaucratic procedures of the C.I.A. under Mr. Helms.

"We dealt with Ober and we dealt with Angleton on these studies, went over them point by point, and Angleton, while not exactly enthusiastic, signed off," the official said.

The official said he could not reconcile Mr. Angleton's decision to permit the studies, which reported finding no evidence of foreign involvement, while mounting an elaborate and secret domestic security operation to root out alleged foreign activities. The results of the studies were forwarded to Henry A. Kissinger, then President Nixon's national security adviser.

A number of former F.B.I. officials said in interviews that the C.I.A.'s decision to mount domestic break-ins, wiretaps and similarly illegal counterintelligence operations undoubtedly reflected, in part, the long-standing mistrust between the two agencies.

In 1970, Mr. Hoover reportedly ordered his bureau to break off all but formal liaison contact with the C.I.A., forcing lower level C.I.A. and F.B.I. officials to make clandestine arrangements to exchange information.

By the late sixties, one former F.B.I. official said, all but token cooperation between the two agencies on counterintelligence and counterespionage had ended.

"The C.I.A. was never satisfied with the F.B.I. and I can't blame them," the former official said. "We did hit-or-miss jobs."

#### "Cutting Throats"

"We were constantly cutting the throats of the C.I.A. in our dealing with them. If the White House knew about it, they were too afraid of Hoover to do anything about it."

The former aide cited a case in the late sixties in which Mr. Angleton turned to F.B.I. for a domestic investigation because he "believed four or five guys were agents, including two guys still in the agency [C.I.A.] and three or four who had been high-level."

"They were suspected of having dealings with foreign intelligence agents," the former official said.

"We just went through the motions on our investigation. It was just a brushoff."

Before Mr. Hoover's decision to cut off the working relationship, the former official added, the F.B.I.—as the agency responsible for domestic counterintelligence—would, as a matter of policy, conduct a major clandestine inquiry into the past and present C.I.A. men.

Despite Mr. Hoover's provocative actions, the former F.B.I. man said, the C.I.A. still was not justified in taking domestic action.

"If they did any surreptitious bag jobs [break-ins]," he said, "they'd better not have told me about it."

## PROXIMITY TO SEEK INQUIRY ON C.I.A. OVER ROLE IN U.S.

**Calls for Helms to Resign  
as Envoy after Reports  
of Domestic Dossiers**

### PROTESTS WIDESPREAD

**Reaction Is Strong Among  
Congress Members and  
Ex-Intelligence Aides**

By SEYMOUR M. HERSH

Special to The New York Times

WASHINGTON, Dec. 22

Senator William Proxmire called today for the resignation of Richard Helms, former Director of Central Intelligence, as Ambassador to Iran and said he would demand an investigation by the Justice Department of alleged domestic spying by the C.I.A.

The New York Times reported this morning that, according to well-placed Government sources, the C.I.A., in direct violation of its charter, had mounted massive, illegal intelligence operations during the Nixon Administration against members of the antiwar movement and other dissident groups inside the United States.

Mr. Proxmire's reaction was among widespread calls by members of Congress and former intelligence officials for an investigation and hearings.

The Times's sources said that the C.I.A. under Mr. Helms had established intelligence files on at least 10,000 American citizens. Mr. Helms was named Ambassador to Iran in February, 1973, after heading the C.I.A. since 1966. Today again, he could not be reached at the embassy in Teheran for comment.

#### Ready for a Trip

Charles Cline, the duty officer at the embassy, said he had seen Mr. Helms this morning and relayed a message from The Times, the third in three days, asking for comment on the report.

"He's out right now," Mr. Cline said. "He's getting ready for a trip."

It was understood that Mr. Helms, as a matter of policy, was reluctant to discuss a sensitive subject by long-distance

telephone and had declined to accept a call from this reporter.

In today's report, the sources said that the C.I.A. had conducted dozens of illegal activities inside the counterintelligence operations against suspected foreign agents.

Under the 1947 law establishing the agency, all domestic intelligence functions, including those aimed at suspected foreign agents, were to be conducted by the Federal Bureau of Investigation.

Mr. Proxmire has been a leading critic of the C.I.A. in recent years and has pressed for public disclosure of the secret C.I.A. budget and co-sponsored legislation that would restrict the agency's activities.

He said in a telephone interview that "the allegations indicate a systematic pattern of illegal activities that cannot be justified in the name of national security."

"Immediate and severe action is necessary," the Wisconsin Democrat said, "to preserve confidence in the intelligence establishment and, more importantly, to guarantee the rights of Americans under the Fourth Amendment."

Mr. Proxmire said he would write Secretary of State Kissinger tomorrow "to ask for the immediate resignation of Ambassador Helms."

"I also intend to write the Attorney General," the Senator said, "to ask for the prompt investigation of these allegations of illegal activities by C.I.A. agents, past or present, and the prosecution of every violation of the law."

Officials of the agency refused to comment today, but William E. Colby, the director of the C.I.A. since September, 1973, when he succeeded James R. Schlesinger, is known to have told associates recently that he was considering a request to the Justice Department for legal action against some of those who had been involved in the alleged domestic activities.

#### 'An Outrageous Thing'

Representative Benjamin S. Rosenthal, a member of the House Foreign Affairs Committee, said in a telephone conversation that he was planning to write Mr. Kissinger requesting the return of Mr. Helms for questioning before the committee.

"This is an outrageous thing," said the Queens Democrat. "Heads are going to have to roll if these allegations are proven true."

Mr. Rosenthal noted that the House Foreign Affairs Committee now shared jurisdiction over C.I.A. matters with the Intelligence subcommittee of the House Armed Services Committee.

Representative Lucien N. Nedzi, Democrat of Michigan, who is chairman of the Armed Services Intelligence subcommittee, said he wanted to "sort this thing out and look at the pieces."

"I'm very concerned about it," Mr. Nedzi added.

Mr. Colby is known to have briefed Mr. Nedzi and Senator

John C. Stennis, Democrat of Mississippi and chairman of the Senate Armed Services Committee, last year on the alleged domestic spying activities. Mr. Stennis, despite repeated requests, has refused to comment.

#### Increasing Attack

It could not be learned whether Mr. Nedzi or Mr. Stennis shared their knowledge with other members of the Senate and House Intelligence subcommittees, whose supervision of C.I.A. activities has come under increasing attack inside and outside Congress.

Senator Stuart Symington, Democrat of Missouri, who is the second-ranking member of the Senate Armed Services Committee, indicated in a telephone conversation today that he had not been officially briefed on the alleged domestic spying.

"If the story is true," Mr. Symington said, "and I'm speaking as a member for many years of the subcommittee that is supposed to review the operations of the Central Intelligence Agency, it simply verifies the point that I've been making for many years, namely, that this agency does not have good supervision, or review by the Congress, or poor review. It actually has no real review at all."

In an interview on radio in Raleigh, N.C., Senator Sam J. Ervin Jr., the former chairman of the Senate Watergate committee who is retiring from the Senate, said he believed reports of alleged widespread domestic spying by the C.I.A.

The North Carolina Democrat

said he had become aware of some unauthorized C.I.A. activities while serving with the Watergate committee, but had decided not to pursue them.

"Most of it had no connection with Watergate and we had no authority to investigate anything but the Presidential election of 1972," Mr. Ervin said. "I wanted the committee, unlike the C.I.A., to stay on the reservation."

#### Former Officials Comment

John A. McCone, a former Central Intelligence director, and Lyman B. Kirkpatrick Jr., a former executive director of the agency, urged President Ford and Congress to investigate the alleged domestic spying, according to the Associated Press.

"I don't think an accusation as prominently displayed as this can be refuted merely on a denial by the agency itself," said Mr. McCone. "There should be a penetrating investigation either by the Congress or by President Ford's Foreign Advisory Board."

Mr. Kirkpatrick, now a professor at Brown University in Providence, R. I., said, "An investigation has now become inevitable."

The two former C.I.A. officials, who left the agency in the mid-nineteen-sixties, denied any knowledge of illegal domestic activities.

"In my connection as director of the agency and my connection with it since," said Mr. McCone, "I never heard of a single instance where the C.I.A. stepped over its charter and involved itself with the responsibilities of the F.B.I."

NEW YORK TIMES  
27 December 1974

## Arrest of American Who Wrote of C.I.A. Reported in Saigon

Special to The New York Times

SAIGON, South Vietnam, Dec. 26—Immigration policemen tonight reportedly arrested an American writer and former Foreign-Service officer, John D. Marks, co-author of the controversial book "The C.I.A. and the Cult of Intelligence."

No official confirmation of the arrest or details of the charges could be obtained either from the Saigon Government or from the United States Embassy, which is usually informed of such action.

But witnesses said they had seen Mr. Marks and an American traveling companion, Barbara Guss, taken into custody by policemen at the home of an American friend on Rue Pasteur in Saigon.

#### Gathering Research

Mr. Marks was understood to have arrived in South Vietnam last Saturday to do a week's research for a magazine article

that he is planning to write. In a recent conversation, he said that he had interviewed several members of the opposition, journalists, and had requested appointments with American officials.

He was stationed in Vietnam as a Foreign-Service officer for 18 months, from 1966 until shortly after the Tet offensive in February, 1968. He then returned to Washington, where he was assigned to the State Department's Bureau of Intelligence and Research.

#### C.I.A. Sued Over Book

With Victor Marchetti, who had a 14-year career with the Central Intelligence Agency, Mr. Marks wrote the book, which the C.I.A. took legal action to have expurgated. The book, published by Alfred A. Knopf, appeared earlier this year with 168 passages deleted. A subsequent Federal Court ruling reinstated 140 of the deletions, but the intelligence agency is appealing the decision.

The book deals in detail with the role of the agency in Indochina. It says President Nguyen Van Thieu had frequent contacts with the agency, tells of a program of assassination and torture used against suspected Vietcong, and charges that the C.I.A. deal in black-market Vietnamese currency.



NEW YORK TIMES  
23 December 1974

# Ford Forbids C.I.A. to Act Illegally in Domestic Field

By JOHN HERBERS  
Special to The New York Times

VAIL, Colo., Dec. 22—President Ford said today that he had informed the Central Intelligence Agency he would not tolerate the agency conducting any intelligence operation within the United States in violation of its charter.

Mr. Ford made the statement in response to reporters' questions aboard his Presidential jet as he flew here from Washington for a 10-day vacation.

He said he had had some "partial information" about alleged domestic activities by the C.I.A. under the Nixon Administration.

The President said he had informed the agency that "this Administration would not tolerate it." He said that after reading a report of alleged domestic operations by the C.I.A. in The New York Times this morning, he received a call aboard the plane from William E. Colby, the Director of Central Intelligence, who assured him that

"nothing comparable" to what was described in the article was going on now.

"I told him under no circumstances would I tolerate any such activities under this Administration," he said.

## On Security Council

Mr. Ford has been President since Aug. 9, when he succeeded Richard M. Nixon, who was forced to resign as a result of the Watergate scandals. Prior to that, he was Vice President for eight months and a member of the National Security Council.

Mr. Ford, however, was not clear on several points. He did not say when he had learned of the alleged illegal operation, how much he knew about the extent or nature of the alleged violations, or what steps, if any, he may have taken to find out who was responsible.

He did not comment on the Times information that the agency kept 10,000 files on persons alleged to be involved in the antiwar movement. The C.I.A. charter bars the agency from domestic intelligence work.

Following is a transcript of the questions and answers aboard the plane:

Q. Mr. President, did you see the story on the C.I.A. in the—

A. I read it there hurriedly. I got a call on the plane this morning from Bill Colby reassuring me that nothing comparable to what was

stated in the article was going on over there, and I told him that under no circumstances would I tolerate any such activities under this

WASHINGTON POST  
23 December 1974

# McCone Asks Ford, Congress To Probe Charges Against CIA

Former CIA Director John McCone and his executive director-controller, Lyman Kirkpatrick, yesterday urged President Ford and Congress to investigate charges that the Central Intelligence Agency mounted a huge campaign against antiwar forces in the United States during the Nixon era.

"I don't think an accusation as prominently displayed as this can be refuted merely on a denial by the agency itself," McCone said.

"There should be a penetrating investigation either by the Congress or by President Ford's Foreign Advisory Board."

Mr. Ford told newsmen in Grand Junction, Colo., that he had received a telephone call from CIA Director William E. Colby assuring him that "nothing comparable to what was stated in the article was going on over there and I told him that under no circumstances would I tolerate any such activities under this administration."

Asked whether he knew about domestic CIA surveillance before he saw the article in Sunday's New York Times, Mr. Ford replied, "I had some partial information." But he sidestepped questions whether the Nixon administration was responsible for CIA abuses of power.

Kirkpatrick, now a professor at Brown University said: "An investigation has now become inevitable."

Both he and McCone denied, in separate Associated Press interviews, that any such program was under way when they ran the agency for several years through 1965.

If such a program, which The New York Times said included compiling intelligence

Administration.

Q. Are they allowed to have any internal intelligence activities?

A. They have a very specific charter and they should live up to the charter.

Q. Did you learn about this activity before it appeared in The New York Times?

A. I had some partial information.

Q. Have you done anything

about it?

A. Well, at that time I indicated what I said here, that this Administration would not tolerate it and I was assured it did not exist.

The questioning then turned to another subject and the C.I.A. matter was not brought up again during the President's brief appearance before reporters aboard the plane.

dossiers on at least 10,000 American citizens including a congressman, came into existence, the intelligence experts blamed Nixon.

McCone said Nixon was "unduly agitated" about antiwar groups and might have issued direct orders, bypassing normal agency channels.

"I was amazed to read the article, and in my connection as director of the agency and my connection with it since, I never heard of a single instance where the CIA stepped over its charter and involved itself with the responsibilities of the FBI," he said.

"We had the closest possible relations with the FBI when I was there. What's happened since, I don't know. It's entirely out of character for the CIA to go beyond its charter.

"They (CIA) deal with foreign intelligence."

Kirkpatrick backed up this statement.

"To the best of my knowledge," he said, "there was never anything like this. If they did something like this, they were doing something they had no right to do and I deplore it."

The CIA gathers intelligence abroad and evaluates it at its headquarters in Northern Virginia. The FBI has an analogous task within the

boundaries of the United States.

The former chief of the CIA's intelligence division, Ray S. Cline, discounted the report of domestic spying by the agency, calling The New York Times article "a pastiche of little gossipy stories." Cline, in a telephone interview with Washington Post reporter Marilyn Berger, said the CIA may well have kept a special file of names of Americans, but that if it did exist, it was probably in connection with foreign intelligence activities.

Cline who joined the State Department in 1969, had left the agency by the time Nixon became President and said he could not vouch for what may have happened then. But he said he was 99 per cent certain that such domestic activities did not occur during his approximately 20 years with the agency, and was convinced that if Nixon had asked Richard Helms, then CIA director, to perform such illegal acts, "Helms would have had the good sense not to follow such orders (to carry out) domestic operations. . . . He knows it's illegal, improper."

If the CIA has a file involving Americans, it could have been part of the normal sharing of information with the FBI, Cline said.

## Congress looks again at U.S. secret agencies

By Robert P. Hey  
Staff correspondent of  
The Christian Science Monitor

### Washington

New charges of domestic surveillance made against the controversial U.S. Central Intelligence Agency come against this backdrop:

- Newly awakened congressional determination to exercise its authority and oversee operations of the government's two most well-known intelligence-gathering organizations, the CIA and the Federal Bureau of Investigation. Shortly after the new Congress convenes in mid-January congressional committees are expected here to investigate these new charges against the CIA.

- In the past two years, congressional committees have begun unprecedented probing into FBI and CIA activities — most recently CIA actions in "destabilizing" the Chilean Government of the late President Salvador Allende.

- Growing revelations of incursions by government agencies into the privacy of Americans. Under attack have been the FBI, Army, and the White House "plumbers" during the Nixon administration.

Barely a month ago, it was revealed that during the 1960's the FBI under the directorship of J. Edgar Hoover, had engaged in a widespread clandestine effort to disrupt domestic groups ranging from the U.S. Communist Party and other leftist groups to respected civil-rights groups and right-wing organizations. The FBI reports it has ended this program.

### Army role exposed

In lengthy Senate hearings, Sen. Sam J. Ervin Jr. (D) of North Carolina, brought to light the Army's efforts during the 1960's to keep under surveillance and maintain individual files on thousands of Americans who had broken no laws. Included were prominent politicians. The Army says that this practice also has been discontinued.

From the White House "plumbers" came the break-in of the office of the psychiatrist of Dr. Daniel Ellsberg; wiretapping of a few Washington journalists; and the Watergate break-in against the CIA. According to U.S. law, the agency is supposed to operate only in foreign nations, leaving domestic U.S. activities to the FBI. But the New York Times reported Sunday that despite this prohibition, the CIA "conducted a massive illegal domestic intelligence operation" during the Nixon presidency against antiwar groups and other dissident U.S. organizations.

Citing unnamed "well-placed gov-

## CIA's domestic spying

Throughout the course of Watergate revelations, the question of Central Intelligence Agency involvement in domestic surveillance activities kept surfacing.

Sen. Howard Baker asked pointedly about it during the Senate Watergate hearings. The recruiting of James McCord, a former CIA man, for the Watergate break-in team, raised the question. A cryptic remark by Mr. Nixon on a June 23, 1972, tape recording alludes to success in protecting CIA chief Richard Helms from embarrassing revelations.

Systematic CIA involvement in domestic spying would clearly have been in violation of the CIA's 1947 charter, which reserves the surveillance of American citizens in the U.S. for the FBI.

Now the New York Times has sketched in the rough shape of the long-suspected secret CIA domestic intelligence operation against "dissident" Americans during the Nixon years. The report by Seymour Hersh puts the number of Americans under CIA surveillance at over 10,000 — and including members of Congress. The intelligence activities involved the maintenance of a computerized file for data collected by wiretapping and break-ins. The latter themselves would be illegal covert acts.

The report lacks crucial details like the names of citizens and

congressmen spied upon, or details about the alleged break-ins or who authorized the operations.

But it indicates enough about the CIA domestic spying affair to pose a clear challenge to the new Congress to find out what went on and to consider revision of the CIA charter if needed.

It has been difficult all along to grasp how otherwise astute or experienced people could have gotten involved in the Watergate break-in. A judgment-warping suspicion of dissidents had led the administration to sponsor more than one illegal break-in. Did a pattern of CIA domestic spying actions make it easier for some agency personnel to go along with administration requests?

The public was told repeatedly by an administration resisting the Watergate investigation that the higher good of the republic, such as security considerations, was the basic motivation of the highly placed officials involved.

Instead of high matters of state, however, or substantive domestic or alien threats to the national well-being, only baser or confused motives of the officials themselves were disclosed.

Unfortunate as it is to say so, there is no reason automatically to assume the CIA should be exempt from detailed scrutiny of what went on. We hope the new Congress will promptly take up the task.

### WALL STREET JOURNAL 23 DEC 1974

FORD ORDERED THE CIA to avoid intelligence operations inside the U.S.

The President said he had been assured by Central Intelligence Agency Director William Colby that the agency isn't currently involved in anything comparable to widespread CIA domestic spying alleged in a news report yesterday. Ford said he told Colby that "under no circumstances would I tolerate any such activities." The New York Times reported that the CIA violated its charter ban on domestic activity by spying on antiwar groups in the late 1960s and by other domestic espionage in the 1950s.

Asked if he had heard of such activity before the article appeared, Ford said he had "some partial information" and previously made clear that his administration wouldn't permit the CIA to go beyond its 1947 charter.

Former CIA Director John McCone said that when he headed the agency in the early 1960s he "never heard of a single instance where the CIA overstepped its charter" and got into activities permitted only by the FBI. The congressional committee that oversees intelligence operations is expected to look into the allegations of past CIA transgressions as soon as the new Congress convenes.

NEWSDAY, Long Island  
23 December 1974

# Reports of Domestic CIA Spying Put Ex-Chief Helms on the Spot

By Patrick J. Sloyan  
Newsday Washington Bureau

Washington—Disclosures of allegedly extensive and illegal Central Intelligence Agency spying inside the U.S. may leave former CIA director Richard Helms out in the cold.

At least that was the reaction of veteran intelligence officials inside and outside the agency which has come under increasing criticism for its involvement in Richard Nixon's Watergate scandal. Yesterday, the New York Times revealed that the agency, under pressure from Nixon, allegedly compiled dossiers on 10,000 Americans opposing administration policy in the late 1960s and early 1970s.

The Times' account quoted "well-placed government sources" as saying that a special unit of the CIA reporting directly to Helms had conducted a massive, illegal domestic-intelligence operation during the Nixon years in violation of the CIA charter. The Times also contended that a check of the CIA's files by Helms' successor, James R. Schlesinger, "produced evidence of dozens of other illegal activities by members of the CIA inside the United States, beginning in the nineteen-fifties, including break-ins, wiretapping and the surreptitious inspection of mail."

President Ford reacted yesterday by saying he had instructed Schlesinger's successor and the present CIA director, William Colby, that such activity was intolerable. Ford said Colby had called "reassuring me that nothing comparable to what was stated in the article was going on over there, and I told him that under no circumstances would I tolerate any such activities under this administration."

On his way to Colorado, Ford was asked by reporters whether he had known about such activity before the Times' story, and replied, "I had some partial information." He did not elaborate. When he received that information, he said, "I indicated what I said here, that this administration would not tolerate it, and I was assured it did not exist."

Among those calling for an investigation was Sen. William Proxmire (D-Wis.), a critic of the CIA in recent years, who said the allegations "cannot be justified in the name of national security." He called for "immediate, severe action" and said he would seek the resignation of Helms from his present position as U.S. ambassador to Iran.

"It looks like they're going to use Helms as a scapegoat," said one expert on CIA infighting. "They're going to throw him to the wolves." The wolves in this case are members of congressional committees charged with overseeing CIA activities that, by charter, are limited to intelligence-gathering outside the U.S. In creating the CIA in 1947, lawmakers feared that if it were allowed domestic activities, it might turn into a Gestapo-like arm of the government.

Many critics argue that the CIA became just that under Nixon. One suggestion is that the CIA began gathering domestic intelligence after officials at the highest levels of the administration decided that FBI director J. Edgar Hoover was not cooperating. In 1970, Hoover was said to have refused to participate in a White House project calling for such illegal activities

as burglaries or wiretapping against dissidents and antiwar activists.

According to the evidence made public by the Senate Watergate committee and the special Watergate prosecutor, the CIA:

- Blocked temporarily the FBI investigation of the burglary of Democratic national headquarters at the Watergate.
- Provided Nixon's "plumbers" with spy equipment to support the burglary of the office of Daniel Ellsberg's psychiatrist.
- Compiled a psychiatric profile of Ellsberg that Nixon aides planned to leak to the press in order to smear the man who made public the Pentagon Papers.
- Supported Nixon's plan to have the CIA direct a national domestic-intelligence network to keep track of "enemies."

Those actions and the alleged compiling of dossiers were undertaken when Helms was directing the agency. Aides to the present director, Colby, have confirmed portions of the Times' account. More significantly, Colby has indicated that he may begin legal proceedings against agency officials involved in operations in the U.S., according to the Times. A CIA spokesman said the agency would not comment until the Times story had been studied.

"Colby knows better than anyone that people at the agency were just following Helms' orders," an agency veteran said. "If [Colby] starts rocking the boat, he knows Helms is bound to fall out."

Other agency officials contended that it was Colby's duty to clean house to protect the CIA from congressional cutbacks, even if it means exposing Helms' activities.

Another indication that Helms was in trouble was John McCone's call yesterday for a "penetrating investigation" of CIA activities during Helms' tenure. McCone is a former director of the CIA and the man credited with pushing Helms to the top spot. McCone is a member of the President's Foreign Intelligence Advisory Board, and he urged that it look into charges against the CIA. The board, however, has no staff and is regarded in intelligence circles to be a puppet of the CIA director's office. "It looks like McCone is doing what Colby wants him to," a CIA veteran said.

The Times also suggested the possibility that Nixon knew of the domestic CIA activity. In a White House transcript of a June 23, 1972, conversation between Nixon and H.R. Halderman, his chief of staff, Nixon is quoted as saying: "Well, we protected Helms from one hell of a lot of things."

McCone, who preceded Helms as CIA director, said the CIA did not overstep its charter during his tenure. He said he felt that Nixon had become "unduly agitated" about antiwar groups.

According to the Times' sources, the domestic-intelligence activities during Nixon's administration were directed by James Angleton, who is still in charge of the CIA counterintelligence department, which the newspaper described as the agency's most powerful and mysterious unit.

The paper said its sources in the CIA took sharp exception "to the official suggestion that such activities were the result of legitimate counterintelligence



needs." "Look, that's how it started," the Times quoted a source. "They were looking for involvement in the antiwar movement. But that's not how it ended up. This just grew and mushroomed internally."

The chairman of the Senate's defunct Watergate committee, Sen. Sam Ervin (D-N.C.), said yesterday he believed that both the CIA and Internal Revenue Service had been used during the Nixon administration to spy on dissident groups and individuals.

NEW YORK TIMES  
24 December 1974

## The Truth Is Needed

By Tom Wicker

President Ford has assured the American people that the Central Intelligence Agency is not now conducting domestic political surveillances in violation of its charter, and that no such activities will be tolerated while he is President.

But how does he know what the C.I.A. is doing? How can he be sure what it might do next year or if its officials are telling him the truth now? Even if they are, suppose a new President pays little attention to the C.I.A. after 1976? Mr. Ford is undoubtedly sincere, but in this case his assurances—the assurances of any President—are just not good enough.

Congress, the White House, the American people have been assured repeatedly that the C.I.A., barred by law from any operations within the United States, does not conduct such operations. Now The New York Times has published strong allegations that the agency did just that—and these allegations are supported by Mr. Ford's refusal to say that internal surveillances had not been carried on in the past, and by his concession that he had some of the information in The Times' article before it appeared.

Even William E. Colby, the director of the C.I.A., is reported to have given some confirmation of these charges in an off-record appearance at the Council on Foreign Relations. At the least, therefore, a thoroughgoing investigation of the C.I.A. must at long last be carried out. For if Mr. Ford's assurances are not good enough, C.I.A. denials are little more than a joke, and Congressional "oversight" has been shown time and again to be not only insufficient but usually cooperative with the agency supposedly overseeing. And if these charges prove true, the Foreign Intelligence Advisory Board, appointed by the President to keep an eye on the agency, as well as the Forty Committee, which is supposed to give it policy direction within the Administration, have either been duped or coopted or both.

It appears possible, incredibly enough, that some of the agency's highest officials, holding the responsibility to control its actions, did not know what was going on. This is because a sort of C.I.A.-within-the-C.I.A. was in operation—the Counterintelligence Department, which allegedly carried out the domestic operations through its own unit-within-a-unit, the supersecret special operations branch of Counterintelligence, or "the deep snow section," as one official called it. Since

the Counterintelligence Department has the responsibility of checking on C.I.A. agents themselves to make sure they have not defected or become double agents, it is clearly hazardous for anyone within the agency to challenge or antagonize counterintelligence.

This many-chambered house of deceit, fear, power and intrigue must no longer be permitted to flourish in its own darkness. It is especially chilling to read, for example, that when James Schlesinger, briefly the agency's director, tried to halt all questionable counterintelligence activities in 1973, and cut back C.I.A. personnel, agency security officials increased the number of his personal bodyguards. If that is true, and if they felt they had reason, every nightmare vision of a shadowy C.I.A. menace will seem the more rational.

But how is the truth to be established? The agency can hardly be trusted to investigate and purge itself; and even if Mr. Colby did the job honestly and ruthlessly, the public could not be expected to accept one more in-house assurance of clean hands. Earlier Congressional and Presidential inquiries, moreover, have usu-

### IN THE NATION

ally become dependent on the agency for information and have wound up in its pocket and pleading its cause.

If President Ford means what he says, he needs the truth more than anyone else. He might come closest to getting it if he appointed a special prosecutor, with full subpoena powers and security clearance, independence such as that granted Leon Jaworski in the Watergate matter, and the mission of investigating every violation of law and its own charter of which any C.I.A. official may have been guilty.

Congress could provide legislation to give such a prosecutor an irrefutable legal base. But if Mr. Ford merely accepts C.I.A. assurances instead of taking action to get at the truth, Congress ought to legislate its own special prosecutor. Either way, Congress could also begin the necessary studies of the agency's quarter-century of existence to see if it should be reshaped, reduced or abolished.

The C.I.A. has functioned too long as its own watchdog, perhaps its own law. Radical surgery was recently needed to remove the cancer that threatened the Presidency; and radical surgery will be needed just as desperately if a cancer called C.I.A. threatens American democracy itself.

"We got some information in the Watergate committee indicating the CIA had gotten off its reservation . . .," he said "Most of it had no connection with Watergate, and we had no authority to investigate . . ." As an indication of CIA involvement in domestic intelligence, Ervin noted that the CIA had given Watergate conspirator E. Howard Hunt disguises and other gear "when they knew perfectly well that he wasn't involved in foreign intelligence."

NEW YORK TIMES  
23 December 1974

## The Crisis Of Law

By Anthony Lewis

BOSTON, Dec. 22—It is high political drama to learn that the Central Intelligence Agency conducted massive domestic spying operations in violation of its charter. But the disclosure, by Seymour Hersh in The New York Times, has even more profound implications for our view of law.

Here, on top of Watergate, is one more gross example of official crime—of lawlessness among those sworn to uphold the law. And that lawlessness brings "terrible retribution," as Justice Brandeis warned nearly fifty years ago: "If the Government becomes a law-breaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy."

When President Ford took office, one of his most urgent tasks was to restore public belief in the Government's respect for law. He made matters worse by his pardon of Richard Nixon. Then he unnecessarily degraded international legal standards in condoning surreptitious American aid to the anti-Allende forces in Chile.

All this lends exceptional significance to Mr. Ford's choice of a new Attorney General. It could indeed be the most important appointment he makes as President. A strong and respected figure in that office, after the

### ABROAD AT HOME

corruption of the Nixon years, would be the most restoring of symbols.

President Ford has at least tentatively decided to appoint such a figure: Edward H. Levi, president of the University of Chicago and former dean of its law school. In character, in professional reputation, in philosophy, Mr. Levi is extraordinarily qualified to serve this President and restore the general faith in law.

But the appointment has run into objections from some Republican Senators, notable John Tower of Texas and Roman Hruska of Nebraska. It has therefore become a vital test of the President's understanding and determination—and a test also of the integrity of this country's intellectual conservatives.

Edward Levi would generally be

NEW YORK TIMES  
24 December 1974

## FORD BIDS COLBY REPORT QUICKLY ON C.I.A. DOSSIERS

Account of Allegations About  
Domestic Spying Will Go  
Through Security Panel

### CONGRESS HEARINGS SET

Chairmen of 3 Committees  
Planning Broad Inquiries  
as Protests Grow

By SEYMOUR M. HERSH

Special to The New York Times

WASHINGTON, Dec. 23 — President Ford today ordered William E. Colby, the Director of Central Intelligence, to report "within a matter of days" on the published allegations of illegal C.I.A. spying on American citizens.

Mr. Ford's call for an investigation, announced by Ron Nessen, the White House press secretary, at Vail, Colo., where the President is vacationing, came amid heightened Congressional concern and protest over the alleged domestic spying, initially reported yesterday in The New York Times.

Extensive hearings into the C.I.A. soon after the new Congress convenes next month were announced by Senator John J. Sparkman, who will become chairman of the Senate Foreign Relations Committee; Senator John C. Stennis, chairman of the Senate Armed Services Committee, and Representative Lucien N. Nedzi, chairman of the Intelligence subcommittee of the House Armed Services Committee.

#### Through Security Council

Mr. Nessen said the President had ordered Mr. Colby to submit his report through the National Security Council, headed by Secretary of State Kissinger.

"The purpose is to find out exactly what did happen," the press aide said.

Asked about the future of Richard Helms, the former Director of Central Intelligence, who is now Ambassador to Iran, Mr. Nessen cautioned newsmen to "put in perspective what we have here."

"We have a newspaper account of past activities of the C.I.A.," he said. "That's all we have. We need to avoid hardening these activities into fact. Pending this [Mr. Colby's] report, it seems that to make

this kind of judgment is premature."

#### Violations Alleged

The Times reported yesterday that, according to well-placed Government sources, the C.I.A. had violated its charter by mounting a massive intelligence operation during the Nixon Administration against the antiwar movement and other dissident groups in the United States. Intelligence files on at least 10,000 American citizens were compiled, the sources said.

Mr. Nessen also said that Mr. Colby informed the President last week of the pending article. Asked why Mr. Ford did not immediately demand a report from Mr. Colby upon learning of the allegations, the press aide said he was unable to provide any further information.

Asked why the White House was asking the C.I.A., in effect, to investigate itself, Mr. Nessen did not respond directly, but repeated only that President Ford had initiated the investigation.

Mr. Nessen's comments culminated a confusing day for the dispersed Ford Administration, which seemed to be unprepared for the reactions to the reports of alleged illegal spying.

News agencies initially reported today that the Justice Department had begun an inquiry into the C.I.A., and later accounts said that Mr. Ford had told Secretary Kissinger to make the study.

The confusion was finally resolved by a high-level Kissinger aide, who told a newsmen tonight that "what happened is that the President has asked Colby to give him a report and Henry asked Colby to submit it to the President through the N.S.C. [National Security Council]."

Earlier, the State Department announced that Mr. Kissinger had asked Mr. Helms, who served as director from 1966 until 1973, for a separate report on the allegations.

Mr. Helms has made no public comment on the published reports, but Robert Anderson, the State Department's spokesman, told newsmen that the envoy would return to testify before any Congressional committee seeking his appearance. There were no immediate plans for his return pending such a request, the spokesman added.

#### Denies Kissinger Role

Mr. Anderson said he could "confidently say" that Mr. Kissinger had no knowledge of any illegal domestic spying by the C.I.A.

Asked whether Mr. Kissinger should have known, as national security adviser, of such activities, he said, "I'd assume he'd see projects done by the C.I.A. that concerned national security affairs."

The C.I.A. officially remained silent.

"We're not talking about that story," one agency officer

told a caller.

The most pointed congressional reaction to the allegations of C.I.A. spying came from Senator Sparkman, Democrat of Alabama.

"I have been shocked by the revelations regarding C.I.A. activities in the United States," Mr. Sparkman said in a statement. "This is a domestic matter but there have been other operations of the C.I.A. in foreign fields that have disturbed the members of the Foreign Relations Committee."

#### To Summon Helms

His hearings, he said, will concentrate on the C.I.A.'s foreign activities but, nonetheless, Mr. Helms will be summoned to testify "since many of the things being brought to light occurred while he was the head of the C.I.A."

Senator Stennis, Democrat of Mississippi, said his panel also would conduct thorough investigation into the C.I.A.

In a statement issued from his home in De Kalb, Miss., Mr. Stennis said the inquiry would be "aimed at determining whether the agency is presently operating within the let-

ter and spirit of the 1947 basic charter creating the organization." That charter bars any domestic activity by the C.I.A.

Representative Nedzi, Democrat of Michigan, said the hearing would begin soon as the new Congress was organized.

He said his investigation would be conducted "in a measured, comprehensive manner, letting the chips fall where they may." He urged Americans not to make "hasty judgments," adding that "some have already assumed the allegations and implications to be facts."

It was unclear tonight whether the confusion over who was investigating what in the Ford Administration was the result of official or press misunderstandings.

#### Participation Denied

Earlier today a news agency quoted Laurence H. Silberman, the acting Attorney General, as saying he had been in touch with Mr. Colby and "the matter is under review." Justice Department officials later said that Mr. Silverman had not meant to suggest that the department was planning to participate in the review.

In a similar misunderstanding, State Department officials later emphatically refuted reports from the White House press briefing in Vail saying that President Ford had authorized Secretary Kissinger to conduct the inquiry into the C.I.A. They said that Mr. Kissinger, who is scheduled to begin a vacation in a few days, would be involved only to the extent of relaying the report through the National Security Council to the President.

At his news briefing, Mr. Nessen was unable to say whether Mr. Ford had been in telephone contact today with either Mr. Kissinger or Mr. Colby about the matter.

reckoned, a conservative in his outlook as educator and lawyer. He is a deliberate man, reflective, with a distrust of instant solutions to hard social problems and a deep dislike for short cuts in the law.

"The misuse of law as but another device for leverage," he told entering law students last October, "is profoundly corrupting." On an earlier occasion he said with regret that the student protest movement, however sincere its feelings, had accepted "the legitimacy of pressure, leverage and violence."

Mr. Levi has been highly critical of student excesses, such as suppression of speakers with unpopular views. When violence came to the University of Chicago, he said that the day he called police on the campus, he would resign. He meant that calling in the police would signal his own failure—a failure to maintain the ideals of a university. The remark conveyed something of his values and his view of personal responsibility.

In the continuing debate on the role of the Supreme Court he is on the side of caution. He said last year that the Court has a very great responsibility, when it reinterprets the law, not to destroy the legislative process or the citizen's feeling of participation in the determination of public matters. He used the context of a subtle lecture on law and morals to criticize the recent decisions on abortion and capital punishment.

He is a quiet man with an understated ironic manner. Anyone who asks at the bar or the law schools about Edward Levi will find a remarkable respect for him, whether or not his views are shared. One admirer explained: "He inspires allegiance because he is trustworthy. He inspires respect because he believes so deeply in the primacy of mind, in the virtue of reason."

Senator Tower has attacked Mr. Levi because he joined the National Lawyers Guild in the nineteen-thirties. He was in the Chicago chapter for a few years along with such others as Walter Schaefer, who became a great justice of the Illinois Supreme Court. Does Senator Tower really care about that dusty history? Or is he worried that Edward Levi would be too independent as Attorney General, too resistant to pressure for political use of the law?

The Levi situation is a particular test for conservative commentators and thinkers. They have twitted liberals for opportunism, and fair enough. Now they can show us, by remaining silent or speaking out, whether know-nothings like John Tower speak for "conservatism" in this country.

All of us, liberal or conservative, have much at stake in President Ford's selection of an Attorney General. Edward Levi is not the only person to restore the tattered fabric of law in this country. But he would be an exceptional choice for this President and this time, and to back away now would be one more surrender to unreason.

# Ford Orders Probe of CIA By Kissinger

By Murrey Marder  
Washington Post Staff Writer

A presidential inquiry was ordered yesterday into allegations that the Central Intelligence Agency conducted illegal domestic surveillance especially during the Nixon administration. In addition, up to four congressional investigations were proposed on the same charges.

President Ford, who is vacationing at Vail, Colo., di-

rected Secretary of State Henry A. Kissinger to produce a report "in a matter of days" on the allegations. Kissinger's inquiry will be conducted in his dual role as presidential national security adviser and head of the National Security Council staff.

Kissinger, aides said, has asked Richard M. Helms, now ambassador to Iran, to report on the charges that center on Helms' tenure as director of the CIA from 1966 to 1973. William E. Colby, the current CIA director also will submit a report for this inquiry.

Investigations into the allegations of illegal CIA activities were announced by Chairman John C. Stennis of the Senate Armed Services Committee: by Sen. John Sparkman (D-Ala.), due to become chairman of the Senate Foreign Relations Committee in the new Congress in January, and by Rep. Lucien N. Nedzi (D-Mich.), chairman of the House Armed Services subcommittee on intelligence. In addition, Rep. Thomas E. Morgan (D-Pa.) chairman of the House Foreign Affairs Committee, said he has started consultations about a possible inquiry by his committee.

A sharp attack on the announcement that Kissinger will conduct an inquiry into the CIA came from Rep. Michael J. Harrington (D-Mass.), who repeatedly has charged that congressional monitoring of the CIA is totally ineffective.

"... President Ford's move (similarly) is a self-protective recourse not likely to produce results or to lead to adequate oversight of the CIA," Harrington said. He called for a select committee of the House to conduct the inquiry.

This surge of projected investigations followed charges published by The New York Times on Sunday that intelli-

gence files on at least 10,000 Americans were maintained by the CIA in a special unit, and that the CIA conducted surveillance of groups campaigning against the war in Vietnam. In addition, apart from antiwar surveillance, the CIA was charged with illegal break-ins, wiretapping and other surveillance in the United States.

Under CIA's charter, the agency is forbidden to conduct police and internal security operations in the United States, with that responsibility assigned to the Federal Bureau of Investigation.

The accusations about massive CIA surveillance of antiwar demonstrators were new. The charges of CIA break-ins and other domestic surveillance activities beyond its congressionally authorized jurisdiction have been raised before in many forms, but never have been subjected to extensive public investigation.

[One CIA official, James Angleton, head of the agency's counter-intelligence division, intends to resign, not because of any sense of guilt, but because he wishes to spare the agency further controversy, an informed source told The Associated Press.]

The multiplicity of investigations discussed yesterday seemed likely to break the inhibitions that for years have headed off a public airing of CIA operations in the twilight zone between covert foreign and domestic activities.

Informed sources acknowledged yesterday that this could lead to embarrassing disclosures of past CIA operations in this country which could raise questions of illegality. Some sources maintained, however, that the allegations that the CIA was engaged in massive operations against antiwar groups in this country are considerably exaggerated. In either case, the

agency's operations now seem likely to face exceptional challenge.

White House press secretary Ron Nessen said yesterday that "the President is trying to find out what happened, if anything."

Nessen repeated, as President Ford said on Sunday in Vail, that CIA Director Colby informed the President on Sunday that "nothing comparable" to what was alleged as improper CIA operations is now under way, and that the President told Colby he would not tolerate any activities of that kind in his administration.

However, Nessen disclosed yesterday that Colby had informed the President several days ago, prior to the publication of the charges by The New York Times, that the Times was contemplating such a story.

Nessen said he was uncertain when Mr. Ford received that notification, and Nessen did not spell out the President's reaction to Colby's information. Nessen did not explain why no presidential inquiry was ordered until yesterday.

Nessen denied a report yesterday that the Justice Department is also investigating the CIA's operations. "There is no role for Justice at the moment," Nessen said; "it is not involved in any way." Sen. William Proxmire (D-Wis.) on Sunday had called for the resignation of Helms and for a Justice Department investigation.

The question of Secretary Kissinger's awareness of any alleged CIA domestic spying operations during his years at the White House also came up yesterday.

The secretary "doesn't know anything about this," said State Department spokesman Robert Anderson. He said "the secretary has never seen any survey of American citizens by the Central Intelligence Agency, and he doesn't know if any such surveys exist."

Anderson's comments appeared to be limited to disclaiming any knowledge by Kissinger of CIA operations involving antiwar activists. It was not clear whether the denial also covered knowledge of all extralegal operations by the CIA in domestic activities.

According to one source, any covert CIA operations, such as break-ins, conducted inside the United States, require approval at the National Security Council level, either by the President or by his special assistant for national security affairs.

Another source said domestic spying by the CIA long predates the Vietnam war controversy in this country and the Nixon and Johnson administrations, and supposedly was authorized only if there was a national security factor in-

volving a foreign country. Other sources said the foreign link often was tenuous or nonexistent.

Anderson said Kissinger will ask Helms to return from Iran if "a duly constituted congressional committee" wants him to testify, but that at present there are no plans for Helms' return.

Although the White House spoke of a Kissinger report in "a matter of days," Kissinger has been scheduled to leave Washington on Thursday for a vacation in Puerto Rico, to return on Jan. 2 or 3.

The swiftness with which congressional committee chairmen acted to plan CIA investigations illustrated the high sensitivity that has been developing, in the wake of the Watergate scandals, to charge of inadequate congressional supervision of the CIA. For years bills have been introduced—and pigeonholed—to broaden this supervision, not limited to a few senior members of the Senate and House Armed Services and Appropriations committees who have met infrequently and have been protective of the CIA.

Sen. Stennis said his committee will conduct "an in-depth investigation" soon after Congress reconvenes to determine whether the CIA is operating "within the letter and the spirit" of its 1947 charter. Stennis emphasized that, "strong and effective CIA is essential for national security; but that its power 'does not include the operation of a domestic intelligence system.' "It is my firm belief," said Stennis, "that Mr. Colby, the present director, has been faithful in observing the basic charter in operating strictly within the law." Stennis said that last summer he supported an unsuccessful amendment to specify that the CIA's jurisdiction was limited to foreign operations.

Rep. Nedzi said that what he has been told confidentially about the CIA "does not square with the article" in The New York Times containing allegations against the agency. He said that in hearings he plans by his House intelligence subcommittee, "I personally will make every effort to assure that the public will have ample opportunity to judge the accuracy of the allegations and the wider implications without favor and without sensationalism." He cautioned against "hasty judgments."

Chairman Morgan of the House Foreign Affairs Committee said he is "greatly disturbed" by the accusations because "the CIA's responsibilities lie strictly overseas." He said that while the House Armed Services Committee has primary jurisdiction over the CIA in the House, his committee "will have jurisdiction over foreign policy-related activities of the CIA in the new Congress."

WASHINGTON STAR  
24 December 1974

# At Home With the CIA

It continues to mystify us why the Central Intelligence Agency, whose effectiveness depends on the subtlety and savvy with which it carries out its vital mission, manages to get involved in one public controversy after another. Well, there go our superspies again, bumbling across the front pages because some of them apparently could not distinguish between their work and someone else's. Chalk up another propaganda coup for the CIA's foreign adversaries and domestic critics, whether or not subsequent investigation establishes serious misdeeds on the part of the agency.

Last weekend's report by The New York Times of large-scale domestic-intelligence activity by the CIA — apparently in violation of the agency's 1947 congressional charter — calls for a searching inquiry into what the agency has been up to and what is needed to keep it on the right track in the future. Until more facts are produced, we will not attempt a final judgment on the allegations. But the claim that the CIA maintained intelligence files on at least 10,000 Americans, and engaged in various "illegal" covert operations in this country, deserves the most intense scrutiny in the next session of Congress. This, to be followed by corrective action if needed, is in the interest of American freedom as well as the health of the intelligence

community itself.

There is good reason for keeping the CIA out of the domestic-intelligence purview of the Federal Bureau of Investigation, besides the simple matter of observing the law. The CIA has its hands full carrying out its foreign-intelligence mandate with American interests under attack almost everywhere in the world. For this task the CIA needs a flexibility and a freedom from day-to-day public accountability that, if suffered at home, could compromise the constitutional rights of Americans. While much CIA work involves undramatic information-gathering and analysis, the agency also engages in clandestine operations that, again, cannot be countenanced on the domestic scene. The FBI has the clear authority to enforce federal law in this country, and to guard against internal subversion.

Admittedly there are "gray areas," where the CIA's foreign counter-intelligence and the FBI's domestic-intelligence activities might overlap—American suspects with foreign connections and vice versa. But this would not explain a wholesale CIA involvement in the investigation of American dissidents like antiwar protesters and black extremists. There are hints that the paranoia of the Nixon White House was at work, as well as presidential dissatisfaction

with the FBI of J. Edgar Hoover and a breakdown of CIA-FBI cooperation. The Nixon crowd managed to involve the CIA peripherally in Watergate, sought greater participation in the coverup and perhaps succeeded in otherwise diverting the CIA from its legitimate field. The new allegations raise serious questions about the leadership of former CIA Director Richard Helms, now ambassador to Iran. If an investigation proves it necessary, Helms should be called back to explain his role.

The objective of future investigations should not be to destroy the CIA, which has performed much of its function ably and is more than ever needed in these hazardous and complicated times. The aim should be to strengthen the CIA's effectiveness by keeping it on target. Better congressional oversight would be a valuable safeguard, as well as a White House sensitive to the proper use of the CIA and determined to prevent misuse. President Ford promises the latter.

In the process of eliminating any ambiguities about the CIA's lawful functions and assuring adherence to clear jurisdictional rules, the agency should benefit. At the least, it should get some blessed relief from the repeated controversies that rob it of public and congressional support.

NEW YORK TIMES  
24 December 1974

## Unguarded Intelligence

Yet another conspiracy under the Nixon Administration to defy the law and infringe upon the constitutional rights of American citizens has now sprung into the open. The domestic intelligence gathering operation of the Central Intelligence Agency, the maintenance of secret files on several thousand American citizens suspected of political dissidence were flatly illegal activities; there is no alternative now to invoking appropriate legal procedures against the officials responsible.

The basic rationale for the C.I.A. as an independent intelligence organization is not at issue; it is unfortunate that a valuable, even essential, institution has been cast under a cloud by the misguided zeal of those inside and outside the agency who thought nothing of twisting and misusing an important national asset.

It is reassuring to hear from President Ford and the present director of Central Intelligence, William E. Colby, that all such domestic surveillance activities have been terminated; more to the point is how they could have been permitted in the first place when Federal statutes so clearly bar the C.I.A. from internal security functions.

In defending the C.I.A. against recent months of criticism arising from unwise but not illegal covert activities abroad, Mr. Colby has persuasively argued that the agency was simply carrying out the duly issued policy directives of the National Security Council. It will be

important now to learn whether this domestic surveillance program—unwise and illegal—was also initiated by the N.S.C. or the Nixon White House or, alternatively, grew up from the independent unchecked initiative of the agency's own Counterintelligence Department, most secret and impenetrable branch of sheltered bureaucracy.

Defenders of the intelligence community argue that domestic surveillance is permissible when clearly related to foreign intelligence purposes. A more concrete attempt at justification arises from the decision in 1970 of J. Edgar Hoover, late director of the Federal Bureau of Investigation, to cut off working relations with the C.I.A. Since the agency could no longer rely on the F.B.I., the body legally charged with internal security, it was pushed into its own domestic surveillance, so the argument goes. Professional rivalries are endemic among secret services; but this particular feud, stretching back even to the predecessor organization of C.I.A., has had deplorable implications for national security.

This illegal surveillance operation and the failure to institute legal proceedings until after its public disclosure suggest an intolerable breakdown of institutional checks and balances. For many years this newspaper—among others—has urged closer oversight by Congress of the intelligence community. But the first responsibility for preventing any further misuse of power must rest with the C.I.A. and other elements of the intelligence community, if they wish to continue receiving the trust absolutely required for the conduct of their mission.



WASHINGTON POST  
24 DEC 1974

## *The CIA Crisis*

ANOTHER JOURNALISTIC FLARE burst over the Central Intelligence Agency Sunday, briefly illuminating a dark corner of its activities barely glimpsed before. In the early Nixon years, the New York Times reported, the CIA collected information on 10,000 or more American citizens who had some part in the anti-war and other "dissident" movements. It did this despite a ban in its legislative charter on "police, subpoena, law-enforcement powers, or internal-security functions." That ban was enacted precisely to block such use of a secret foreign-intelligence agency as a secret domestic police force. Coming hard on renewed public agitation over the agency's conduct of subversion in Chile, the new allegations have created the most serious crisis in the CIA's 27 years.

In 1969-70, it seems, President Nixon asked the CIA to investigate whether foreign elements were behind the Vietnam war protests. Whatever Mr. Nixon's purposes in asking the question, it was a legitimate one for a foreign-intelligence agency to try to answer. The answer apparently was No. But the matter did not end there. Somehow, the CIA undertook (or intensified) a campaign of surveillance of American citizens. They were not suspected of being foreign agents; or if they were, the FBI should have been called. "We do not target on American citizens," then-CIA director Richard Helms said in a public speech on April 14, 1971. According to the story in the Times, the surveillance program apparently was then in full swing; if that is in fact the case, then Mr. Helms not only violated the regulation governing CIA's activities but then lied about it as well.

It is said that James R. Schlesinger, briefly CIA's director in 1973, uncovered the tracks of the program—the anti-war movement was already dead of natural causes. Mr. Schlesinger, now Secretary of Defense, and his successor at CIA, William E. Colby, are also said to have found and stopped certain other questionable domestic activities, including some touching Watergate. On Sunday, President Ford reported Mr. Colby had told him that "nothing comparable to what was stated in the [Times] article was going on over there." Added Mr. Ford: "I told him that under no circumstances would I tolerate any such activities under this administration." These assurances are, of course, beside the point. The secrecy which allows the CIA to conduct illegal operations makes its formal denials meaningless. The same secrecy makes it possible for the CIA to engage in domestic spying in the future, with or without the President's knowledge or consent.

The Justice Department is already "reviewing" the

reported program, apparently with Mr. Colby's approval. However tortured the legal route may seem, we urge that it be explored. It holds high promise of disclosure of many hidden and hard-to-find aspects of any surveillance program. Fear of prosecution deserves to be added to fear of publicity to deter those public officials who might be tempted to spy on their fellow citizens. It should hardly be necessary to repeat, after Watergate, that officials must obey the law. We presume that the initial quick look which Mr. Ford has ordered Henry Kissinger to take—in Dr. Kissinger's capacity as White House national security advisor—will reaffirm this fundamental point.

In the Congress, fresh appeals have been made for a specific investigation of the alleged spying and for improved general "oversight" of CIA. We have little confidence in an investigation by either the Senate or the House committees which are supposed to oversee the CIA; their record, in so far as they have done anything at all, is one of protecting the interests of the CIA rather than those of the public.

In fact, yesterday a number of congressional committee chairmen announced their intent to delve into the new charges. But a broader approach is essential. The need is not only to get to the bottom of whatever happened a few years ago but to translate concern over this particular episode into a solid institutional remedy for all of the perceived inadequacies of the CIA. The group to take on this task must be at once detached from the Executive (that rules out the President's Foreign Intelligence Advisory Board), expert and authoritative; a bipartisan select committee of the Congress might be the best approach. Sen. Howard H. Baker Jr. has proposed one such committee to survey CIA practices across the board to assure it is consistent with existing law.

An even more satisfactory route lies in a second proposal by Sen. Mike Mansfield (D-Mont.) and Sen. Charles McC. Mathias (R-Md.) for a select committee. It would assess the past record and future role of American intelligence. On the premise that the 1947 law which brought the CIA into being was drafted under the shadow of cold-war circumstances that have greatly changed, it would draft a new law consistent with new circumstances, domestic and foreign alike. Any lingering doubt as to the need for just such a basic and comprehensive procedure has been erased by the new reports of domestic spying and by the government's apparent inability to explain these reports away.



BALTIMORE SUN  
24 December 1974

## We Don't Want a Gestapo

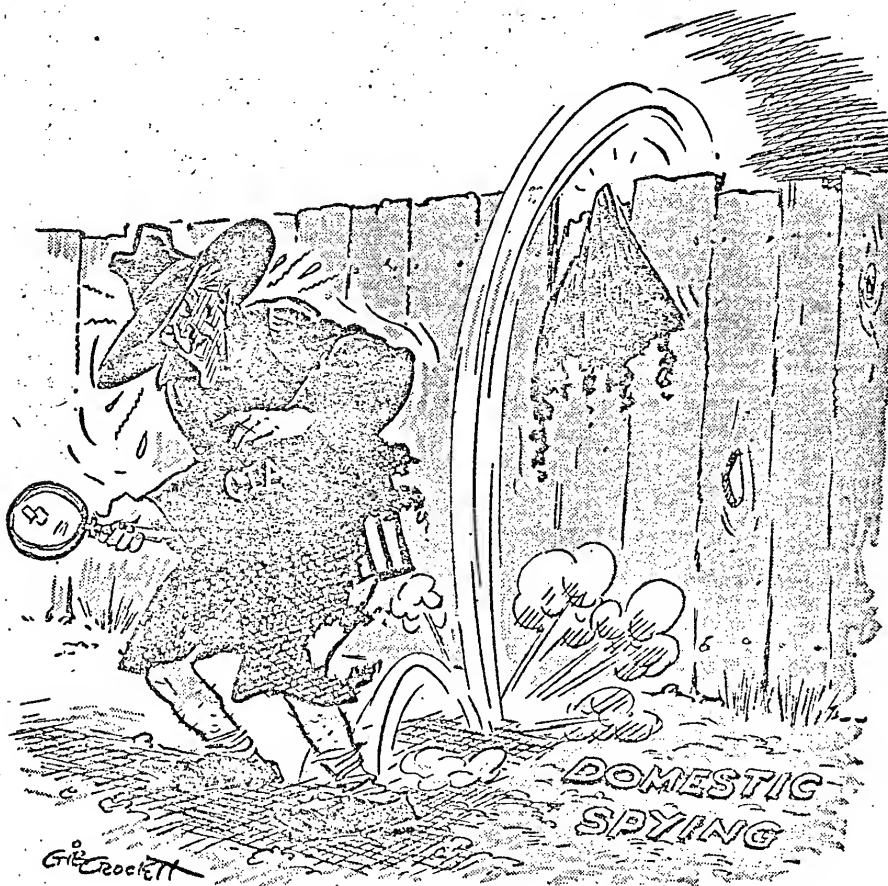
Senator William Proxmire is certainly correct to call for a prompt investigation of the latest charges against the Central Intelligence Agency. Those charges are serious and disturbing in the extreme. The CIA is accused (apparently by present and former CIA officials and by Federal Bureau of Investigation officials) of gathering information on private United States citizens. This intelligence gathering often involved violating the constitutional rights of citizens. Even if it had not, it is wrong and illegal for the CIA to engage in such activity. That is secret police stuff. When the CIA was created in 1947 Congress took great pains to circumscribe the agency. It was authorized to gather intelligence in foreign countries only. "We don't want a Gestapo," a congressman warned during the 1947 debate.

Have we ended up with one? According to the allegations, the CIA compiled dossiers on thousands of citizens, including members of Congress, that agents deemed to be "dissidents." These were for the most part members of anti-war groups, but some others who expressed political objections to one or another Nixon administration policy also seem to have been put under surveillance. All of this activity involving America citizens is said to have started in 1969, under Nixon, but there are also charges that the CIA operated illegally in this country prior to that by doing counter-intelligence work involving foreign nationals.

Senator Proxmire wants the Justice Department to investigate these charges. It should begin at once. If illegal acts have been committed by officials, those officials should be charged and prosecuted to the limit of the law. That would clearly demonstrate to the CIA, to other U.S. intelligence agencies that might believe they are somehow beyond the law, and to the American public that there is not going to be a Gestapo here, that it can't happen here. In addition to a Justice Department investigation, there also ought to be a thorough airing of these charges by the Congress. And we don't mean by the Senate Armed Services Committee's CIA Oversight subcommittee, either. That "watchdog" has been sleeping in the sun for 20 years, as one member, Senator Stuart Symington, has complained. A broader based investigating committee is called for, perhaps a special, short term committee like the Ervin panel of Watergate fame.

Whether or not such a committee is decided on, and whether or not the charges now before the public prove true, there is still a need for a permanent real congressional watchdog for the CIA and other intelligence gathering operations. The potential for abuse—the potential for a Gestapo—is too great to leave oversight to the sort of coziness that, to Congress' shame, has prevailed. If Congress won't protect the rights of citizens from arrogant bureaucracies, who will?

WASHINGTON STAR  
24 DEC 1974



NEW YORK TIMES  
25 December 1974

# HELMS DISAVOWS 'ILLEGAL' SPYING BY THE C.I.A. IN U.S.

Alleged Domestic Operation  
Under His Stewardship Is  
'Categorically Denied'

AGENCY AIDE DISSENTS

Angleton, Who Is Resigning  
His Post, Is Said to Agree  
With Some Allegations

By SEYMOUR M. HERSH  
Special to The New York Times

WASHINGTON, Dec. 24—The State Department said today that Richard Helms, former Director of Central Intelligence and now the Ambassador to Iran, had categorically denied that the C.I.A. conducted any "illegal" domestic spying under his leadership.

But James Angleton, who is resigning as chief of the Counterintelligence Department and who has been publicly linked to the spying, was quoted today as saying that he agreed with some of the allegations that were published Sunday by The New York Times.

There is "something to it," Mr. Angleton told United Press International.

His resignation, effective at the end of the month, became known last night.

Meantime, Representative Lucien N. Nedzi, chairman of the Intelligence subcommittee of the House Armed Services Committee, said in a television interview this morning, "There's been an overstepping of bounds" by the C.I.A.

## Controversy Grows

"You might call it illegalities in terms of exceeding their charter," Mr. Nedzi, Democrat of Michigan, said.

The denial from Mr. Helms was reported by Robert Anderson, State Department spokesman, as controversy continued to grow over the domestic spying allegations.

The spokesman said that Mr. Helms, who he said had left Iran on a prearranged home leave that will bring him to Washington early next month, had telegraphed his denial in response to Secretary of State Kissinger's request for a report.

Mr. Anderson, quoting from the telegram, said, "Ambassador Helms has categorically

denied that under his stewardship the C.I.A. conducted illegal domestic operations against anti-war activists or dissidents, or that any unit to do such was created under him as director."

Mr. Anderson said that he had no further information.

The press spokesman also announced that Secretary Kissinger was expected to receive a report on the alleged domestic spying from William E. Colby, the current Director of Central Intelligence, and would forward it to President Ford, who is on vacation at Vail, Colo. Mr. Ford ordered yesterday that the report be made "within a matter of days."

## Massive Operation

A State Department official said this evening that the Colby report had been submitted to Mr. Kissinger at the close of the working day and would be sent to Vail on the next White House courier flight.

The Times reported Sunday that, according to well-placed Government sources, the C.I.A. had violated its charter by mounting a massive, illegal intelligence operation during the Nixon Administration against the antiwar movement and other dissident groups in the United States. Intelligence files on at least 10,000 American citizens were compiled, the sources said. Well-informed sources said that Mr. Colby met with Mr. Angleton last Friday and requested that he end his 31-year intelligence career.

In a telephone interview this morning, Mr. Angleton, who said that he had not slept the previous night, accused The Times of "helping out the K.G.B. [Soviet intelligence and internal security service] a great deal" by publishing his name and title in its Sunday dispatch.

"You've done them a great favor," he said.

Mr. Angleton did not deny, however, that he had been named and identified by a British counterspy, Kim Philby, in "My Silent War," a book published in 1968 after he defected to the Soviet Union.

Asked about alleged wrongdoing, Mr. Angleton said, "I've got problems." He explained his domestic activities this way:

"A mansion has many rooms, and there were many things going on during the period of the [antiwar] bombings. I'm not privy to who struck John."

Mr. Angleton, who had been in charge of rooting out foreign espionage agents in the United States, later permitted newsmen from three television networks to interview him.

Asked for reasons for the resignations, he was quoted as saying: "Police state... Soviet bloc... fragmentation... I had a son in the infantry in Vietnam. Went from private to corporal."

Asked whether his son had

been wounded, he reportedly said, "No. I think he's O.K."

A number of present and former C.I.A. officials expressed pleasure at the resignation of Mr. Angleton.

Mr. Nedzi's televised interview marked the first public confirmation that any domestic wrongdoing had been committed by the C.I.A.

## A Question Remains

"But the question of whether there's any ground for criminal prosecution still remains," Mr. Nedzi added. "I'm not aware of anything in the statute which set up the agency that provides for criminal sanctions."

Mr. Nedzi, who is known to have discussed the domestic spying allegations last week with Mr. Colby, said "The information which was given me does not square with the information that has appeared in the allegations and the wider implications of the stories that are circulating presently."

There was some "overstepping of bounds," Mr. Nedzi said, "but it certainly wasn't of the dimension that we're led to believe when we draw the intended implications, as I see it, of what has appeared in the newspapers and in the media."

He said that he planned to call Mr. Colby to testify at hearings into the C.I.A.'s alleged domestic activities.

Additional hearings were announced today by Senator Edmund S. Muskie, Democrat of Maine, whose Senate Government Operations Subcommittee met earlier this month to hear testimony about revamping Congressional oversight of the C.I.A.

Mr. Muskie said that he planned to initiate discussions early next week with Senator John C. Stennis, Democrat of Mississippi, chairman of the Senate Armed Services Committee, to determine whether his subcommittee could share access to classified intelligence material, which traditionally has been supplied only to the

Stennis panel.

"There's really nothing in the Senate rules that excludes other committees from access to this information," the Senator said.

## Special Prosecutor Urged

A call for the appointment of former Attorney General Elliot L. Richardson as a special independent prosecutor to investigate the C.I.A. spying charges was made today by Representative Paul Findley, Republican of Illinois, who is a member of the House Foreign Affairs Committee.

In a letter to President Ford, Mr. Findley said that neither denial of the charges by present and former C.I.A. officials nor an internal inquiry by the executive branch would dispel doubts about the agency's domestic activities.

"So tainted has the C.I.A. become that nothing will suffice short of a full-scale investigation and criminal prosecutions where they are warranted," he said.

He praised Mr. Richardson, who was recently named Ambassador to England by Mr. Ford, for his "reputation for strict adherence to the laws and his unwillingness to back out on a public commitment."

Mr. Richardson resigned as Attorney General rather than carry out an order from President Nixon to dismiss the first Watergate special prosecutor, Archibald Cox.

## An Admission Reported

Daniel Schorr, a correspondent for CBS News, reported tonight that during a four-hour conversation with reporters Mr. Angleton "admitted keeping files on Americans like Black Panthers and antiwar demonstrators, but only after they'd contacted agents abroad."

Mr. Angleton denied, according to Mr. Schorr, any specific C.I.A. wiretapping or break-ins, "but indicated the F.B.I. was asked to conduct some to help protect C.I.A. sources and methods."

WASHINGTON POST  
25 December 1974

# Domestic Spying Denied

## Helms Rejects Charges Made Against CIA

By Murrey Marder  
Washington Post Staff Writer

Richard M. Helms "categorically denied" yesterday that the Central Intelligence Agency under his direction from 1966 to 1973 "conducted illegal domestic operations" against opponents of the war in Vietnam.

Helms, who has been U.S. ambassador to Iran since early 1973, also denied that "any unit" to conduct such activities was ever created while he was head of the CIA.

That sweeping disclaimer by Helms of published charges that the CIA illegally engaged in domestic spying on war critics during the Nixon administration was made public without amplification, and without definitions of Helms' terminology. The Helms statement was issued by the State Department in response to an inquiry to Helms from Secretary of State Henry A. Kissinger. Helms was unavailable for any further explanation.

The Helms denial coincided with comments from the former head of CIA counterintelligence, James Angleton, who has suddenly resigned, effective Dec. 31, that published reports of CIA domestic operations have been exaggerated. But there is "something to it."

Angleton, who said he resigned from the CIA because "his usefulness has been destroyed by the controversy," was quoted by United Press International as also saying, "I think there should be a full investigation."

The State Department said Secretary Kissinger received the report yesterday from the present CIA director, William E. Colby, which President Ford ordered after the publication of accusations that the CIA breached its authority by conducting covert operations inside the United States. Kissinger met with Colby late yesterday afternoon at the State Department, and officials said Colby's report will go out "on the next courier plane" to Mr. Ford at his Vail, Colo., vacation headquarters.

Kissinger spoke to the President by telephone yesterday

about the CIA controversy, a spokesman said.

No information was available on the contents of Colby's report, nor would officials say whether it concurred with Helms' published denial.

Despite Kissinger's dealings with Colby and Helms, State Department spokesman Robert Anderson said reports that Kissinger is conducting an inquiry into the CIA charges are the result of "a misunderstanding." Kissinger "has not been asked nor is he conducting an investigation of public allegations against the CIA," said Anderson.

Kissinger is only acting on the President's instructions "to transmit a report on these allegations prepared by Mr. Colby," said Anderson, in Kissinger's additional capacity as assistant to the President for national security affairs.

Despite that narrow definition of Kissinger's role in the ricocheting controversy, Anderson said Kissinger "earnestly hopes that judgments on these allegations will be suspended" until President Ford studies Colby's report and decides if "further steps may be needed."

State Department officials said they were not in a position to amplify Helms' denial which they made public yesterday, because, they said, it was the substance of what they received from him in the Iranian capital of Teheran.

Helms, they said, was responding to charges initially published by The New York Times on Sunday, which said that the CIA during the Nixon administration kept files on at least 10,000 Americans in a special unit and conducted surveillance of antiwar groups. The CIA, the account said, also engaged in domestic break-ins and wiretapping in the United States, although that also is legally beyond its jurisdiction. The latter charge has been aired before.

Spokesman Anderson at the State Department said, "Ambassador Helms has categorically denied that under his stewardship the CIA conducted illegal domestic operations against antiwar activists or dissidents or that any unit to do so was created under him as director."

Anderson said he was unable to explain further how Helms was defining "illegal" or "domestic" or "operations." CIA officials regularly maintain that none of their operations are ever carried out without prior official authority.

Helms left his Teheran post yesterday, Anderson said, under arrangements made "last October" for him to take leave at this time, and is scheduled to be in Washington about Jan. 2 or Jan. 3. That would be when Kissinger plans to return to Washington from a va-

cation in Puerto Rico, which is scheduled to begin on Thursday.

Anderson said Helms now is "spending the holiday with relatives" in Europe. At the American embassy in Teheran, a spokesman said yesterday that Helms was unavailable and his present whereabouts are "classified."

Sen. Edmund S. Muskie (D-Maine), chairman of a Senate Government Operations subcommittee that has been exploring more effective congressional review of the CIA and the FBI, said yesterday:

"Denials simply are not enough. We have to know the scope of their activities, so we can judge for ourselves whether they exceeded their mandate and authority under the law. The legislation denying them [the CIA] domestic jurisdiction is clear on its face."

Muskie said that the limited congressional review of the CIA's operations, and "the pressures generated within the last two days," require "vigorous" inquiry to produce "active congressional oversight" of CIA operations. Several other committees earlier announced plans to investigate the current charges.

Rep. Lucien N. Nedzi (D-Mich.), chairman of the House Armed Services subcommittee

on investigations, said yesterday on the CBS Morning News TV show that his committee has discussed with CIA Director Colby the "overstepping of bounds" by the agency.

Information was conveyed to me," said Nedzi, "which suggested the overstepping of bounds, but it certainly wasn't of the dimension . . . of what has appeared in the newspapers . . ."

Nedzi said he thinks it "can be conceded — as in any large bureaucracy — there's been an overstepping of bounds, some improprieties, but I want to emphasize that . . . the information I have does not square, as I said, with the information that is being circulated at the present time."

Asked what he meant by "improprieties," Nedzi said, "you might call it illegalities in terms of — of exceeding their charter." Nedzi said the CIA "shouldn't be active in the United States, but the question of whether there is any grounds for criminal prosecution still remains. I'm not aware of anything in the . . . statutes" establishing the CIA "that provides for . . . criminal sanctions."

Nedzi said "it's my intent to hold a very thorough hearing, to make all of this information public so that the public can have an opportunity to judge what precisely took place."

WASHINGTON POST  
25 December 1974

# Accused CIA Aide Disclaims Spy Role

By Ronald Kessler  
Washington Post Staff Writer

James Angleton, the Central Intelligence Agency's counterintelligence chief, said last night he has no personal knowledge of alleged CIA domestic spying activities but could not say that they have not existed.

Angleton was named in Sunday's New York Times as having been overseer of a "massive, illegal" domestic intelligence operation by the CIA against antiwar activists and other dissidents. The newspaper said the operation, which it said took place during the Nixon administration, involved establishment of intelligence files on at least 10,000 Americans.

In addition, the Times cited "evidence" of other "illegal" activities, beginning in the 1950s, that included break-ins, wiretaps, and surreptitious inspection of mail.

In a rambling telephone conversation of more than a half an hour from his office at CIA headquarters, Angleton said he has resign-

ed from the agency effective Dec. 31 but would not say why or whether it was his own decision. He said he has sent his family to another part of the country because of fears for their personal safety, and he launched a personal attack on Seymour M. Hersh, who wrote the Times article.

Referring to what he called a "masochistic" tendency in U.S. society, Angleton, 57, predicted the countries under the influence of the Soviet Union would become more powerful than the United States over the next five years.

Asked if the CIA had engaged in domestic spying activities, he said, "I can't respond to this because I do not know." In response to this same question at a later point, he said, "Any information we have on a U.S. citizen is passed to the FBI on a daily basis. It's up to the FBI to determine if it's necessary."

In a third response to the question, Angleton, refer-

WASHINGTON POST  
26 December 1974

## CIA Aide Clarifies Resignation

United Press International

James Angleton said yesterday he was "asked by higher authorities" to resign as Central Intelligence Agency counterintelligence chief.

He telephoned UPI in Washington last night and said he would like to get some things "straightened out" from previous talks Tuesday and yesterday.

"My resignation was reluctant," he said. "I was not pushed. The point I'm making is that the story [in The New York Times] was highly exaggerated and as far as I'm concerned I had no knowledge of any activities of such to the agency but I can't speak for the agency."

He said he did not recall saying Tuesday that he did have knowledge of alleged illegal CIA domestic activities.

Why then, he was asked, did he resign if he insisted he wasn't "pushed?"

"Let's put it this way," Angleton said. "I was asked by higher authorities."

The allegations of CIA domestic activities involving surveillance of as many as 10,000 Americans were made by The New York Times on Sunday and President Ford's Under Secretary of State Henry A. Kissinger on Monday to make a report "within a matter of days."

Earlier yesterday, Angleton suggested that UPI get in touch with former FBI agent Sam Papich in New Mexico about domestic espionage activities.

"Sam knows," said Angleton.

Papich, now executive director of New Mexico's Organized Crime Prevention Commission and an FBI agent for 30 years, told UPI in Albuquerque that moves were made to destroy the FBI and CIA.

"What is taking place is leading to a complete decay and destruction of our intelligence service operations," Papich said.

He said he did not believe former Director Richard L. Helms had the CIA under illegal spying activities against antiwar activists in this country.

"I support Helms completely because I think the allegations are absolutely false," said Papich. Helms has denied the allegations.

"What is appearing in the press concerning the CIA and the FBI is a bonanza for the Soviet intelligence agency," Papich said. "They are like their chaps watching us address ourselves, observing while we destroy ourselves."

NEW YORK TIMES  
26 December 1974

## C. I. A. MAN FEARS FADING OF VALUES

Angleton Quoted as Saying  
People No Longer Appear  
to Place Nation First

WASHINGTON, Dec. 25 (AP) —For 31 of his 57 years, James Angleton protected the Central Intelligence Agency's secrets and agents from prying foreign powers; and now he worries that the values that guided him have passed out of fashion.

After allegations that the agency's counterintelligence efforts also included illegal domestic espionage, he has resigned with a denial that he was in any way involved in the alleged domestic surveillance.

Here is a portrait of Mr. Angleton drawn from people who know him:

He joined the Office of Strategic Services, the precursor of the C.I.A., in World War II. He had entered Harvard Law School after graduating from Yale right before the war, but the outbreak of hostilities cut short his legal education, and he was never to return to academic life.

For much of his career, he matched wits with the intelligence agencies of other countries that were trying to spy on the United States just as the C.I.A. was spying on them. He served as head of counterintelligence since 1954.

### Suspicious of Soviet

Out of this experience came a fundamental suspicion of the Soviet Union and particularly of the K.G.B., the Soviet version of the C.I.A.

Mr. Angleton, according to a person who knows him, was obsessed with the K.G.B. and its espionage potential. He was quick to spot its operatives posing as Soviet diplomats, and he kept posted on contacts between K.G.B. agents and representatives of other countries.

He became known as a hard-line cold warrior. Recently he was quoted as saying that the Communist world had not changed its goal of world domination, despite détente.

His speech is laced with ref-

erences to military balances of power and what he perceives as foreign threats to democracy and the security of the United States.

"When we went into the [intelligence] business, we thought of the country first," he was recently quoted by a friend as saying. "But things have changed now. People want their mortgages earlier, and personal security seems more important than service to the country."

Reflecting on his long career, he indicated an awareness that his view of the world was not necessarily shared by large segments of society. He told an acquaintance that his intelligence work was "a 31-year association in the cause of national security, which people no longer consider important."

He is known to have strong feelings about each of the six C.I.A. directors he served under. The late Allen W. Dulles was his favorite because of the talent that Mr. Dulles recruited for the agency.

John A. McCone, Mr. Dulles's successor, was a "great man," Mr. Angleton was quoted as saying. Richard Helms, the former director who has been linked to the C.I.A.'s alleged domestic espionage, also ranks high with him.

William E. Colby, the current chief, and Adm. William Radburn, who served briefly in the mid-nineteen sixties, are given lower ratings.

Mr. Angleton's greatest enthusiasm is reserved for James R. Schlesinger, the director for four months in 1972 and now Secretary of Defense.

He is said to admire Mr. Schlesinger's intellect and view of foreign powers.

"No one in the Cabinet more truly understands the perils that this country faces in terms of the balance of forces," Mr. Angleton reportedly said. "Schlesinger is the shield for this country."

Mr. Angleton once edited a poetry magazine in college, and a friend says that he was on personal terms with Ezra Pound, T. S. Eliot and E. E. Cummings.

Mr. Angleton's resignation was announced Monday at a meeting of C.I.A. officials. His superiors praised his record and said that his resignation was not connected with the allegations of domestic espionage.

Mr. Angleton, a six-footer with a professorial stoop, made a few remarks. He talked of his good wishes for the agency's future, and of duty, country, ethics and the law.

NEW YORK TIMES  
26 December 1974

## CLIFFORD FAVORS A SPECIAL INQUIRY INTO C.I.A. 'SPYING'

**Declares Investigation by  
Regular Congress Panel  
Would Not Be Effective**

By SEYMOUR M. HERSH  
Special to The New York Times

WASHINGTON, Dec. 25—Clark M. Clifford, the former Secretary of Defense who helped to draft the 1947 legislation setting up the Central Intelligence Agency, urged Congress today to form a special committee to investigate the published charges of domestic spying by that agency.

"Previous investigations into the C.I.A. by ordinary [Senate and House Armed Services] Committees haven't gotten very far," said Mr. Clifford, who served in President Johnson's Cabinet. "The seriousness of this is such that I would recommend a full and exhaustive investigation by a special committee."

Thus far, the chairman of four panels—including the House and Senate Armed Services Intelligence Subcommittees—have announced plans for full inquiries next year stemming from a report in The New York Times last Sunday that the C.I.A. had allegedly mounted a massive and illegal domestic spying operation during the Nixon Administration.

### 50-Page Report Due

In Vail, Colo., where President Ford is skiing and working, he told newsmen this morning that he would receive tomorrow a 50-page report on the domestic spying allegations from William E. Colby, the Central Intelligence Director. Mr. Ford said that the document, which is being relayed to him by Secretary of State Kissinger, would be thoroughly studied before the White House commented on it.

Ron Nessen, the White House press secretary, said that the document included several appendices, but would not elaborate.

In Teheran, Iran, officials at the United States Embassy said that Ambassador Richard Helms, who was the agency's director when the alleged spying took place, had left the country for an undisclosed destination in Europe. The State Department said yesterday that

NEW YORK TIMES  
26 December 1974

## Excerpts From '47 Law Creating C.I.A.

Special to The New York Times

WASHINGTON, Dec. 25—Following is an excerpt from the 1947 law that created the Central Intelligence Agency, Title 50, Section 403 of the United States Code:

### § 403. Central Intelligence Agency

There is established under the National Security Council a Central Intelligence Agency with a Director of Central Intelligence, who shall be the head thereof. The director shall be appointed by the President, by and with the advice and consent of the Senate, from among the commissioned officers of the armed services or from among individuals in civilian life....

### Powers and Duties

(d) For the purpose of coordinating the intelligence activities of the several Government departments and

agencies in the interest of national security, it shall be the duty of the agency, under the direction of the National Security Council—

(1) To advise the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security;

(2) To make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as relate to the national security;

(3) To correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government using where appropriate existing agencies and facilities: *Provided*, That the Agency shall have no police, subpoena, law-enforcement

powers, or internal-security functions: *Provided further*, That the departments and other agencies of the Government shall continue to collect, evaluate, correlate, and disseminate departmental intelligence: *And provided further*, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure;

(4) To perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;

(5) To perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct:

Mr. Helms' trip, characterized as a prearranged home leave, would return him to Washington early next month.

### A Denial by Helms

A "categorical denial" by Mr. Helms of the domestic spying charges was relayed to newsmen yesterday by the State Department.

The New York Times, quoting well-placed Government sources, reported Sunday allegations that the C.I.A. had violated its charter by conducting massive, illegal intelligence operations aimed at antiwar activities and other American dissidents inside the United States. Intelligence files on at least 10,000 American citizens were compiled, the sources said.

Two days later, James Angleton, director of the C.I.A.'s counterintelligence division and one of the officials singled out in The Times's article, resigned after 31 years of Government intelligence work.

In a telephone interview, Mr. Clifford said that he had never been briefed on any domestic activities by the C.I.A. during his service from 1961 to 1968 as a member and later chairman of the President's Foreign Intelligence Advisory Board.

The board was set up by President Kennedy, after the failure of the Bay of Pigs operation in Cuba in 1961, to provide high-level outside review of secret intelligence operations.

"What they [the C.I.A.] did was just never mentioned to us during their briefings," Mr. Clifford said. "These fellows [at the C.I.A.] obviously were operating with the greatest degree of secrecy."

"I can tell you," he added, "that whatever they did they

did at their peril. If J. Edgar Hoover had heard of it, he would have come in blasting. It would have caused quite a snarl."

Even before the drafting of the 1947 National Security Act setting up the C.I.A. began, Mr. Clifford recalled, Mr. Hoover laid the lawdown: the F.B.I. was to be the sole agency of the Government to handle matters inside the continental United States.

At the time, Mr. Clifford, now the senior partner in a Washington law firm, was a lawyer on the White House staff of President Truman.

It took careful negotiations inside the Truman Administration, Mr. Clifford said, to achieve a consensus on the powers of the new C.I.A. "We very carefully carved out their functions," he recalled, to restrict C.I.A. operations inside the United States.

Since then, he added, he knew of no secret White House directives that would give the

C.I.A. any operational power in the United States, even in the case of foreign espionage agents.

"If a secret agent comes to the United States," he said, "the C.I.A. must immediately inform the F.B.I."

If the published allegations are true, he said, "it means that the C.I.A. just chose to disregard what the limits of the act were."

In a subsequent telephone interview, Maxwell D. Taylor, a retired Army general who served on the President's Foreign Intelligence Advisory Board from 1965 until 1970, also said that he had never been informed of any domestic C.I.A. operations.

"I know the statute under which the C.I.A. operates," he said.

General Taylor did acknowledge that some highly secret protocols to the 1947 act had been agreed upon. Those agreements are known to deal with the C.I.A.'s overseas activities.



NEW YORK TIMES  
26 December 1974

# Idea for Creating a C.I.A. Grew Out of Pearl Harbor

By DAVID BINDER

Special to The New York Times

WASHINGTON, Dec. 25—American political and military leaders created the Central Intelligence Agency after World War II as a needed instrument of global power.

The concept had its origin in the failure of American intelligence services to coordinate signals warning of the Japanese attack on Pearl Harbor in 1941. As early as 1944, Gen. William J. Donovan, chief of the wartime Office of Strategic Services, proposed establishment of an agency to centralize intelligence efforts.

Yet the real impetus came from the decision of President Truman in 1946 that the United States must shoulder new responsibility as a major world power and should counter what was seen to be a menacing expansionist challenge by the Soviet Union.

Mr. Truman established a National Intelligence Authority in 1946 and, under it, a Central Intelligence Group—the forerunner of the C.I.A. But genuine centralization of United States intelligence was still years away.

The Central Intelligence Agency was formally chartered under the National Security Act of 1947.

The United States was already engaged in sporadic undercover political operations against Communist forces at the time in Germany, Greece and Italy. But the operations were initially conducted from the Department of State under Frank G. Wisner, a former O.S.S. officer.

## 'Commitment' Becomes Clear

"Until 1950 nothing much was accomplished," Ray S. Cline, a retired C.I.A. official, recalled. "It was sort of a floundering period." But Mr. Cline, who served as C.I.A.'s Deputy Director of Intelligence from 1962 to 1964, acknowledged that the agency "developed a commitment to political operations" overseas at the very outset.

By early 1951 the C.I.A. had acquired a manpower of about 5,000 and its influence was rapidly spreading around the world and through the Washington bureaucracy. It was a period of adventurism and of some embarrassing defeats.

Together with Britain's secret intelligence service, the C.I.A. began a series of small invasions of Albania—by sea and by

air—in the expectation of sparking an overthrow of the Communist leadership in Tirana. Nearly all of the invaders were captured.

Soon the agency was supervising the operations of another anti-Communist force—11,000 Chinese Nationalist troops—on the eastern frontier of Burma. The C.I.A. was also parachuting spies onto the Chinese mainland and the Ukraine to make contact with other anti-Communists.

In Western countries, mainly in Italy, France and Germany, the C.I.A. was secretly sponsoring scores of anti-Communist political parties, newspapers, radio stations, trade unions and even student groups.

The double aim was, in the words of an old C.I.A. man, "to prevent Communist takeovers, such as occurred in Czechoslovakia in 1948, and where possible to push the Communists back."

## Efforts Are Merged

But grave shortcomings had emerged in the C.I.A. attempt to conduct the clandestine collection of intelligence separately from activist political operations. "They tended to cross each other up," said an agency veteran.

To eliminate rivalries, Walter Bedell Smith, the director from 1950 to 1953, merged the clandestine collection operations with the covert operations. Mr. Wisner was brought over from the State Department. This was the birth of what the C.I.A. called its clandestine services.

In addition, Mr. Smith and his deputy, Allen W. Dulles, placed new emphasis on the analysis of intelligence and on longer range estimates of enemy potential. Mr. Smith inaugurated an Office of National Estimates under the Harvard historian, William Langer.

The office soon became the apex of the intelligence community, a group of 10 seasoned military men and academics whose job was to sift through masses of intelligence data and make detached judgments on major foreign developments in terms of the national interest.

In the nineteen-fifties, the C.I.A. also developed large-scale intelligence service industries, both in purely technical fields and in social-political enterprises.

## Dummy Groups Set Up

It financed establishment of two huge radio stations—Radio Free Europe for broadcasts to East Europe and Radio Liberation (later Radio Liberty) for powerful transmissions to the Soviet Union. It set up dummy foundations, dummy companies, dummy public relations firms and dummy airlines. It placed agents in American student organizations and trade unions—all with a view to

assist in penetrating foreign countries.

On the technical side, the C.I.A. sponsored development of a whole range of reconnaissance and monitoring equipment, among which was the high altitude U-2 spy plane. Starting in 1956, the U-2s ranged with impunity over the Soviet Union, China and later Vietnam and Cuba bringing back telltale photographs of missile sites and other military installations.

When Mr. Dulles succeeded Mr. Smith as Director, he persuaded President Eisenhower to accept the C.I.A. as a national service reporting directly to the White House, with its estimates being considered essential elements of the policy-making process.

It was the U-2, however, that caused Mr. Eisenhower one of his greatest embarrassments. One of the spy planes was shot down over the Soviet Union in 1960 on the eve of the President's intended summit meeting with the Soviet Union's Nikita Khrushchev. The Administration at first denied that the craft was a spy plane, and then President Eisenhower acknowledged that it was and accepted responsibility for the flight. That was the beginning of an unmasking of dozens of C.I.A. operations that had been conducted more or less in secrecy—including the 1954 toppling of a Communist-oriented government in Guatemala.

## Defect Disclosed

The militant anti-Communist motivation of the United States Government continued undiminished into the Kennedy Administration, which allowed the C.I.A.-managed invasion of Cuba to go ahead in April, 1961.

Its total failure revealed a serious defect in the C.I.A. structure—the men responsible for analyzing and estimating intelligence were kept in ignorance of plans for covert operations like the abortive Bay of Pigs landings.

This was remedied under the new Director, John A. McCone, who saw to it that the analysts and estimators were consulted about covert political actions.

But the Cuba invasion disclosed another disturbing trend in United States policy-making: the tendency to allow relatively modest undercover intelligence operations to balloon into large military actions.

It went that way in Indochina, from Vietnam to Laos and Cambodia, and the C.I.A. bore most of the public blame.

"The C.I.A. should have been doing rifle-shot operations, not full scale military operations," Mr. Cline observed ruefully. Still, he recalled the McCone years from 1962 to 1966 as "a period of peak performance" by the C.I.A.

There were C.I.A. voices then, among the analysts, warning against a deeper American involvement in the Indochina conflict. But President Johnson

listened less and less to them and more and more to his military advisers.

A decline in the C.I.A.'s access to the White House set in, and its role in policy formation continued to wane under President Nixon. The agency's product remained much the same. But its customer had changed.

President Johnson simply did not like the gloomy assessment of the Vietnam war outlook given him by the agency. President Nixon was determined to end involvement of United States forces in the Indochina conflict and did so through consultations with the parties involved rather than with his intelligence advisers.

Mr. Nixon and his national security adviser, Henry A. Kissinger, continued to rely on the technical data assembled by the C.I.A., especially for the conduct of strategic arms talks with the Soviet leadership. But they were hardly interested in the traditional intelligence estimates of the C.I.A.

In late 1972, Mr. Nixon and Mr. Kissinger agreed on a major reform of the C.I.A. The President appointed James R. Schlesinger to replace Richard Helms as director and clean out the agency.

In his few months as director, Mr. Schlesinger forced the retirement or resignation of more than 1,000 of the 15,000 C.I.A. employees. His successor, William E. Colby, a graduate of clandestine services, proceeded with a structural reform in 1973, abolishing the old Office of National Estimates system.

The structural changes were demoralizing for many C.I.A. oldtimers. But worse still was a series of revelations throughout 1973 and 1974 that the agency had been involved in some questionable and even criminal operations in the domestic politics of the United States. These included the following:

¶The use of C.I.A. equipment and former C.I.A. agents to break into the Watergate headquarters of the Democratic party.

¶The Nixon Administration's alleged use of C.I.A. operatives to monitor activities of political dissidents—a task nominally the responsibility of the Federal Bureau of Investigation.

¶The assignment of the C.I.A. to train more than 50 American police officers, including 14 from New York, in clandestine arts.

All these activities were in apparent violation of the C.I.A.'s original charter and mission barring it from internal security effort.

"We were good and secret and highly motivated until 1965," Mr. Cline remarked. "Now the C.I.A. is in the open and it looks bad."

"I am concerned because the idea is being skillfully promoted that subversion is a C.I.A. invention," Mr. Cline concluded, "whereas it is a doctrinal policy of the Russians."

CHRISTIAN SCIENCE MONITOR  
26 December 1974

# Tighter reins on CIA expected

By Robert P. Hey  
Staff correspondent of  
The Christian Science Monitor

Washington

Talks with key congressional sources familiar with the CIA controversy over alleged domestic spying make clear that:

- Congressional committees almost surely will investigate and keep tabs on CIA activity far more stringently than in the past. This will be so regardless of how much truth the congressional investigations find in current charges that the CIA violated the law by massive domestic spying on Americans.

- The charges do not square with what key members of Congress have been told about past CIA activities in briefings with present CIA officials. These briefings would indicate that the charges are overblown. But if congressional investigations should prove the charges are largely accurate, several congressmen would feel they had been deceived by the CIA and would be furious.

- Despite President Ford's order that Secretary of State Henry Kissinger investigate the charges against the CIA, congressional investigations will go forward. At least three separate ones are scheduled to begin after the new Congress convenes in mid-January.

## 1966-73 period involved

Sources note that it was the top CIA officialdom itself which is reported to have uncovered the domestic surveillance and stopped it — specifically James Schlesinger, now Secretary of Defense and previously director of the CIA.

In advance of the hearings, congressional sources generally assume that no such widespread surveillance existed either under Mr. Schlesinger or William Colby, the present CIA director. Therefore much attention is expected to be focused on CIA activities during the tenure of Richard Helms, now Ambassador to Iran; he was CIA director from 1966 to 1973.

Sen. John C. Stennis, whose Armed Services Committee will hold one investigation, cites as a prime purpose discovering if the CIA is "operating within the letter and spirit" of the 1947 law which established it. He calls the CIA a "necessary com-

NEW YORK TIMES  
26 December 1974

# Controlling the F.B.I.

From time to time since the death of J. Edgar Hoover, members of Congress and others have murmured quietly about the need to impose more reliable controls on the Federal Bureau of Investigation. Perhaps Congress will be jolted out of its slumbers by the revelations about the Central Intelligence Agency's illegal intrusions into the domestic security field, coupled with some devastating observations by William C. Sullivan, formerly Number Three man in the F.B.I., on its abuses and ineptitude in handling this responsibility—a responsibility it botched from the start.

Mr. Sullivan argues that the F.B.I. was not equipped to undertake the domestic security function when President Roosevelt first gave it the assignment in 1939 and that no really effective or controlled program was ever developed. As a result, the activity was susceptible to abuse, as when the bureau accepted such "purely political" assignments as checking up on opponents of lend-lease for President Roosevelt and opponents of the Vietnam war for President Johnson. Moreover, microphones, telephone taps and other electronic devices were among the program's principal tools. Mr. Sullivan notes that their use constituted invasion of privacy and, in some cases, violations of the Bill of Rights. Mr. Sullivan is not sure that a domestic security program is necessary for the nation, but he is quite clear that if it continued, it should be taken away from the F.B.I.

During his stint as Deputy Attorney General, William Ruckelshaus was planning a searching review of its functions and operations, but the "Saturday night massacre" killed that plan. The undisciplined helter-skelter growth of the F.B.I. has never been checked or seriously analyzed. If the Department of Justice does not have the heart for resurrecting Mr. Ruckelshaus' proposed review, it is up to Congress to undertake both the hard analysis and the tasks of supervision and oversight which it has neglected for so long.

ponent" of the U.S. military, but warns that it "must strictly observe" the law.

In joining the general forecast of increased congressional oversight of CIA activities, one important source notes that 1974 "has been a year of more concern about the CIA, and certainly this [new charge] will greatly intensify it."

He ticks off questions that have arisen about the CIA's activities during the year:

- CIA's loan of voice-changer, wig, and other apparatus to Watergate burglar E. Howard Hunt. Originally they were used in the burglary of the psychiatrist of Dr. Daniel Ellsberg; there is some thought in Congress that they may have been retained by Mr. Hunt and used in Watergate activities.

- Unsuccessful efforts by the

White House to get the CIA to lie and block aspects of the FBI's Watergate probe.

- The suggestions of Watergate committee member Sen. Howard H. Baker Jr. that the CIA was more deeply involved in the Watergate break-in than is publicly known.

- Disclosure that the CIA was involved in trying to "destabilize" the Chilean Government of the late President Allende.

Meanwhile, James Angleton has made known his resignation as head of the CIA's counterintelligence operations, according to the Associated Press. In its story on CIA activities, the New York Times charged that Mr. Angleton headed illegal domestic surveillance efforts. But in making known his resignation, Mr. Angleton said he was leaving for the good of the CIA, not because of any wrongdoing on his part.

WASHINGTON POST  
26 December 1974

Joseph Kraft

# The Colby Case

Anybody who wants to know where it's at in Washington these days should pay close attention to William Colby, the director of the Central Intelligence Agency. For Mr. Colby is the model of the modern bureaucrat.

In dealing with the Congress and the press he has been openness personified — often to the disadvantage of his colleagues and superiors in the government. His case shows that the sensational revelations about domestic spying by the CIA, while connected with what used to be wrong here, have nothing to do with what is presently the trouble in Washington.

Mr. Colby is a symbolic figure in many ways. He is typical of the highly professional men (Princeton and Columbia Law School) who could have made it in private life, but chose government after the war because it offered more interesting jobs.

His service with the government led to a distinct institutional loyalty. Mr. Colby has been with intelligence services since World War II, and with the CIA for a score of years. He is totally aware of the agency's bureaucratic in-

terest. If the word did not have such a very bad connotation, he could fairly be called an *apparatchik*.

Finally, Mr. Colby has experienced firsthand two blows shattering to the American bureaucracy. He was a leading figure in the Vietnam War—both out in Vietnam and here in Washington. He was also involved in picking up the pieces in CIA after the agency's role in Watergate (notably the Ellsberg break-in) began to surface.

In the light of that experience, Mr. Colby's record is fascinating. He has broken with the tradition which made the top intelligence man a close-mouthed bad guy who took the rap for his bosses. On the contrary, Mr. Colby has made himself regularly available for speeches and questioning by congressional committees and interested citizens' groups, including newspapermen.

In dealing with the Congress, Mr. Colby has not merely talked to the select number of senior senators and representatives grouped together in an "oversight committee." He has talked to the regular committees on foreign relations, appropriations, atomic energy and economic policy. He has indicated that he would welcome a new oversight committee, and would accept any membership on the committee the Congress chose to impose.

In dealing with citizens' groups, he does not merely talk to friends of the CIA. He met with over a hundred journalists during his first year in office, and spoke to the Nieman Fellows at Harvard. He even exposed himself to a group which has as its stock-in-trade hostility to the CIA—the Center for National Security Studies, which staged a program that included an encounter between Mr. Colby and Daniel Ellsberg.

One inevitable result of such openness is the circulation of stories very prejudicial to officials for whom directors of the CIA normally show an exaggerated respect. For example, Mr. Colby—without being obliged to—told a congressional committee a lot of things about CIA activities in Chile which put egg all over the faces of former director Richard Helms, Secretary of State Henry Kissinger and eventually President Ford.

Another indirect consequence, given the tenor of the times, is that a great many other intelligence officers are spilling the beans about past operations. Such sources have combined with a notable case of journalist overplay to yield the current crop of stories about CIA spying on domestic dissidents in the Nixon years.

I do not mean to minimize such actions. If what actually took place was as advertised in the New York Times by Seymour Hersh, then there were grave violations of the laws governing CIA operations.

But no one should be under the impression that the spirit of the Nixon presidency is still dominant in Washington. There is no present threat to individual liberties from an all-powerful Executive.

The reverse is true. The real danger is weakness at the center, bureaucrats playing to the press and the Congress, and demoralization all along the line. So those who take upon themselves to be investigators and judges of government behavior have all the more reason to be careful and responsible, to note the present as well as the past, and to avoid the hunt for scapegoats which now seems to be shaping up.

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WASHINGTON POST  
15 December 1974

## Spies Who Came to Dinner

By Dorothy McCordle

John M. Shaheen, who plans to start publishing an afternoon newspaper in New York, possibly some time next summer, says The New York Press, as he calls it, will be a \$20-million enterprise.

A slight greying man, Shaheen was here as toastmaster at the recent Veterans of OSS dinner at the Washington Hilton. He was chairman of the William J. Donovan Award Committee, which gave the 1974 Donovan award to William J. Casey, president of the Export-Import Bank. Shaheen is, himself, a veteran of the OSS in World War II and so is Casey.

Casey said that American and British counter-intelligence units had the "closest thing to a decisive clandestine impact on the war in Europe. It came not from the hundreds of men and thousands of weapons parachuted into Europe, but from a handful of real German spies captured and turned around in England, and a couple of dozen imaginary spies in an imaginary network carrying out imaginary operations within England."

According to Casey, "The fact is that our side operated the entire German

intelligence network in England, writing their reports in London and sending them to the Germans by radio or with letters to Madrid or Lisbon in secret ink or microdot.

"These fictitious reports convinced the German generals and finally Adolf Hitler that the Allied landings would come, not from Normandy, but near Calais, 100 miles to the North."

Casey, who has been chairman of the Securities and Exchange Commission, and Under Secretary of State, said that the Central Intelligence Agency, which grew from the OSS, is far more than a spy operation today.

"The CIA is one of the world's great centers of learning and scholarship, having more Ph.D.s and advanced scientific degrees than you are likely to find any place else," Casey said.

In his speech, Casey set the record straight about that "Wild Bill" nickname given Donovan.

"Donovan's manner was deceptively mild," said Casey, relating how Donovan's soft voice and gentle manner had caused some people to change their opinion of Donovan.

Said Casey: "Donovan came into town as 'Wild Bill' and left as Sweet William."

NEW YORK TIMES  
27 December 1974

## HELMS WAS VAGUE IN 1973 ON SPY BID

**But Denied Domestic Role  
—House Unit Linked Him  
to Discussion of Plan**

By SEYMOUR M. HERSE

Special to The New York Times

WASHINGTON, Dec. 26 — Richard Helms told the Senate Foreign Relations Committee in 1973 that he could not "recall" whether the White House had urged the Central Intelligence Agency to engage in domestic spying because of increasing antiwar activity in 1969 and 1970.

The Helms testimony, taken at a secret Senate committee hearing on Feb. 7, 1973, came four months before the first published accounts of Mr. Helms' participation in the so-called Huston plan for domestic spying, put forward in 1970 by a White House staff member, Tom Charles Huston. The plan, which called for some covert operations, acknowledged to be illegal, was never officially put into effect by the Nixon White House.

### Helms Denial Recalled

Documents made available last July by the House Judiciary Committee's impeachment inquiry showed that Mr. Helms, representing the C.I.A., had been an active participant in the various working sessions on the plan.

The State Department announced Tuesday that Mr. Helms had categorically denied in a telegram from Iran, where he is United States Ambassador, that the C.I.A. participated in "illegal" domestic spying while he served as its director from 1966 to 1973.

Mr. Helms has since left his post and is officially reported to be on a prearranged leave.

In Vail, Colo., where President Ford is continuing his working-skiing visit, the White House announced that it was awaiting a special report on the domestic spying allegations.

Mr. Ford, chatting with newsmen before the report's arrival, indicated that he might make the document public. It is said to total 50 pages with additional appendices.

"I wouldn't rule it out," he said. "It will depend on the content."

Ron Nessen, the White House press spokesman, later told reporters that he did not know what would be done with the document.

The Ford Administration has made no official denial or confirmation of the alleged spying since the initial published report in The New York Times on Sunday.

The Times, quoting well-placed Government sources, said that the C.I.A. had violated its charter by conducting massive and illegal intelligence operations aimed at antiwar and other American dissidents inside the United States. Intelligence files on at least 10,000 American citizens were compiled, the sources said.

The subject of domestic C.I.A. intelligence was raised repeatedly during Mr. Helms' secret Senate confirmation testimony, as the Senators focused questions on the fact that two of the five men arrested eight months earlier in the Watergate break-in had some C.I.A. connections.

Mr. Helms assured the committee that the agency had not been involved in any domestic spying.

At one point, Senator Clifford P. Case, New Jersey Republican, posed the following questions:

"It has been called to my attention that in 1969 or 1970 the White House asked that all intelligence agencies join in the effort to learn as much as they could about the antiwar movement, and during this period United States Army intelligence became involved and kept files on United States citizens. Do you know anything about the activities of the C.I.A. in that connection? Was it asked to be involved?"

"I don't recall whether we were asked," Mr. Helms responded, "but we were not involved, because it seemed to me that was a clear violation of what our charter was."

A moment later, he told Senator Case what he would have done if someone had requested the C.I.A. to become involved in domestic operations: "I would simply go to explain to the President this didn't seem to be advisable."

In his May 22, 1973, statement on Watergate, President Nixon disclosed that he met with Mr. Helms and other top intelligence officials on June 5, 1970, to discuss "the urgent need for better intelligence operations."

That report led to a series of recommendations drafted by Mr. Huston and approved in writing by Mr. Helms and others. The recommendations called for break-ins, wiretaps and the surreptitious interception of mail, acts acknowledged to be illegal, to meet the alleged threat from antiwar and radical groups who were said to "seek to confront all established authority and provoke disorder."

The House Judiciary Committee's documents show that on July 23, 1970, Mr. Helms received a top-secret memorandum on the domestic intelli-

gence plan from Mr. Huston. The memorandum called for the C.I.A. to join other Government intelligence agencies to evaluate, report on and carry out the "objectives specified"—that is, covert actions.

Five days later, the memorandum was recalled because of an objection by John N. Mitchell, who was then Attorney General.

In an Aug. 5, 1970, letter urging Presidential approval of the program, also included in the House documents, Mr. Huston said that the C.I.A. and the military intelligence agencies "all have a great stake and a great interest."

"All of these agencies sup-

ported the options selected by the President," he said.

In its Sunday dispatch, The Times quoted a high-level Government intelligence official as acknowledging that the C.I.A.'s decision to maintain domestic files on American citizens "obviously got a push at that time."

Nonetheless, Mr. Helms assured the Senators during his February, 1973, testimony that he believed "100 per cent" in the 1947 legislation setting up the C.I.A. That legislation bars the agency from having any police function inside the United States.

WASHINGTON POST  
27 December 1974

## CIA Probe Asked for By Clifford

By Ronald Kessler

Washington Post Staff Writer

Former Secretary of Defense Clark M. Clifford yesterday called for creation of a congressional committee similar to the one that investigated the Watergate scandal to probe charges that the Central Intelligence Agency engaged in domestic spying.

Clifford, who helped draft the 1947 legislation creating the agency, said a joint committee of the House and Senate, with an adequate staff, is needed to air the charges that appeared in last Sunday's New York Times.

The Times alleged that the CIA had mounted a massive, illegal domestic spying operation during the Nixon administration. The activities were said to include creation of files on 10,000 antiwar dissidents, wiretapping, mail interception and break-ins.

The legislation creating the CIA makes it clear that it may

not engage in domestic activities, Clifford said in a telephone interview yesterday.

"There have been a series of incidents that have involved the CIA," he said. "It seems to me we should have an investigation in depth. The time has come for the Congress to look searchingly into the CIA in light of conditions in 1975 to see if improvements are needed in the act." The 94th Congress will convene Jan. 14.

President Ford yesterday received a 50-page report on the allegations from CIA Director William E. Colby. Ford said he would not rule out making the report public, although presidential spokesman Ron Nessen later said parts of the report are classified.

The alleged overseer of the spying operation, James Angleton, former director of the CIA's counterintelligence division, was quoted yesterday by United Press International as saying he resigned from the agency because "higher authorities" wanted him to leave.

In an earlier, Washington Post interview, Angleton said he had been asked some time ago about his activities at the CIA by the office of Watergate Special Prosecutor Leon Jaworski.

NEW YORK TIMES  
27 December 1974

# C.I.A.'s Budget Is So Secret That Even Most Members of Congress Know Nothing About It

By DAVID E. ROSENBAUM  
Special to The New York Times

WASHINGTON, Dec. 26—Every year, the Senate and House vote to allot money to the Central Intelligence Agency. But most members of Congress do not know how much money they are allocating, or what it will be used for.

In fact, they do not even know when they are voting to allocate it.

It is a system that has been in place since Congress agreed, by law, 25 years ago to let the C.I.A. decide how much Congress and the public should know about the agency's activities. And the agency's budget is one of its best-kept secrets.

To monitor the agency, the Senate and House have formed small subcommittees of senior members, most of them political conservatives, who, according to experts, rarely challenge the figures and information supplied to them by the agency.

Following a report by The New York Times last weekend that the C.I.A. had allegedly mounted a massive intelligence operation against dissident groups within the United States, in direct violation of the law, Congressmen of both parties and various ideologies and many other influential persons have called for detailed Congressional reviews of the agency's operations.

## Proxmire Asks Action

"Immediate and severe action is necessary," said Senator William Proxmire, Democrat of Wisconsin, in a statement that was echoed by many others.

"The seriousness of this is such that I would recommend a full and exhaustive investigation by a special committee," said Clark M. Clifford, the former Secretary of Defense, who helped to draft the original legislation that established the C.I.A.

Similar statements have been made each time there has been an intelligence scandal since the agency was created by Congress in 1947.

Yet, Congress has been reluctant to act. More than 200 measures designed to make the C.I.A. more responsive to Congress have been introduced in the last quarter century, but none have been enacted.

The infrequent Congressional investigations have been held in closed sessions and have produced little change in Congressional oversight procedures.

Congress has continued to allow the agency's budget to be camouflaged in the stated budgets of other departments and agencies, and the appropriations to be spread throughout a number of different appropriations bills.

There is not a single line item in the Federal budget or a single dollar figure in any appropriations bill that can be identified as applying to the intelligence agency.

The prevailing view in Congress seems to have been that expressed three years ago by

Senator John C. Stennis, Democrat of Mississippi, who is the single most influential member of Congress on intelligence matters.

"You have to make up your mind that you are going to have an intelligence agency and protect it as such and shut your eyes some and take what is coming," Senator Stennis said in a Senate floor speech.

His fear and that of many other members of Congress and the intelligence community is reportedly that, if knowledge of C.I.A. operations becomes widespread in Congress, some Senators and Representatives may disclose confidential information that could endanger the country.

Congress had delegated to four subcommittees, two in the Senate and two in the House, its oversight function with regard to the Central Intelligence Agency.

The Senate and House Armed Services Committee each have intelligence subcommittees made up of the senior members of the full panels. The Senate subcommittee has five members, headed by Mr. Stennis. The House subcommittee has seven members, headed by Representative Lucien N. Nedzi, Democrat of Michigan.

The Senate and House Appropriations Committees also have subcommittees dealing with funds for the intelligence agency. In both cases, the subcommittee members are the five senior members of the subcommittees that deal with defense appropriations.

The subcommittees seldom meet. This year, the Senate Armed Services subcommittee met twice, the House Armed Services subcommittee six times and the Senate Appropriations subcommittee five times. The House Appropriations subcommittee did not report a record of its meetings.

Minutes of these meetings were not kept, and in most cases the actions taken were not recorded. Not only was the public thus kept in the dark, but so were the other members of Congress.

"I do not think there is a man in the legislative part of the Government who really knows what is going on in the intelligence community, and I am terribly upset about it," Senator Howard H. Baker Jr., Republican of Tennessee, told his colleagues in a speech on the Senate floor last October.

Senator Baker and Senator Lowell P. Weicker Jr., Republican of Connecticut, introduced legislation in September that would create a 14-member Joint House-Senate Committee

on Intelligence Oversight with jurisdiction over all intelligence-gathering activities.

Other bills that were introduced in the Senate this year would establish a joint committee on national security, a joint committee to study government

surveillance activities and a special Senate committee to study how the Senate could improve its oversight of intelligence matters.

The House Armed Services Committee considered but did not act this year on a measure that would further define the prohibition on C.I.A. activities in domestic intelligence.

The Senate Government Operations Subcommittee on Inter-Governmental Relations held two days of hearings on the Senate bills earlier this month. They, like the House bill, are likely to get further hearings next year.

In addition, members of the

Senate Foreign Relations Committee and House Foreign Affairs Committee are to be given more access to the information about the C.I.A. in the next Congress.

"It is the duty of Congress, not the option in a democracy, to police the vast American intelligence set-up," Senator Weicker said at the Government Operations panel's hearings on Dec. 10.

"It won't wash," he added, expressing a view that seems to be gaining more support in Congress, "for Congress to complain that it was not informed of some nefarious action when Congress has permitted itself to remain ignorant or passive when knowledgeable."

## JAPAN TIMES

11 December 1974

# 'CIA Using Resources To Aid Iran Repression'

NEW YORK (Kyodo-Reuters) — A Denver lawyer who recently returned from a fact-finding trip to Iran said Monday he was convinced that U.S. resources were being used through the Central Intelligence Agency (CIA) to assist a repressive regime.

William Reynard told a news conference that political dissidents were often tortured, the majority of offenses were tried by military courts barred to civilian lawyers and a military panel decided cases on hearsay evidence prepared by Savak, the Iranian secret police.

No witnesses were allowed to testify directly, he said.

Reynard said his 10-day investigation had convinced him

that American resources were being used through the CIA to "enhance the Shah by assisting him in his pattern of repression."

Iranian jails now held an estimated 20,000 to 40,000 political prisoners, he said.

Reynard is a board member of the Unitarian Universalist Service Committee, which was founded in 1939 to rescue Czechoslovakians from the Nazi threat and which has sponsored a number of investigations of alleged human rights violations.

With Reynard at the news conference were Iranian pharmacologist Ebrahim Yazdi and Pulitzer Prize-winning American journalist Frances Fitzgerald, who has visited Iran.